

**WEST CONTRA COSTA
UNIFIED SCHOOL DISTRICT**

BOARD OF TRUSTEES



MISSION STATEMENT

We provide the highest quality education to enable all students to make positive life choices, strengthen our community, and successfully participate in a diverse and global society.

We provide excellent learning and teaching experiences; safe, student-centered learning environments; and support for all students and employees. We develop and maintain productive community partnerships and individual and collective accountability.

**MEETING OF
April 10, 2013**

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
BOARD OF EDUCATION
MEETING AGENDA
APRIL 10, 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 **6:00 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 Presentation of Student Board Representative from Vista High School

B.5 Report/Ratification of Closed Session

* **B.6 Agenda Review and Adoption (Public Comment)**

* **B.7 Minutes: March 20, 2013; March 27, 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 April 10, 2013.

Recommendation:

Recommend Approval

Fiscal Impact:

As noted per grants summary

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

Comment:

The District has received donations as summarized, dated April 10, 2013. Staff recommends acceptance of these donations.

Recommendation:

Recommend Approval

Fiscal Impact:

As noted per donations summary

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

Comment:

The planned fund-raising events for the 2012-13 school year are summarized, dated April 10, 2013.

Recommendation:

Recommend Approval

Fiscal Impact:

Additional revenue for schools

***CI C.4 Contracted Services**

Comment:

Permission is requested of the Board of Education to approve contracts for services as detailed, dated April 10, 2013.

Recommendation:

Recommend approval

Fiscal Impact:

As noted per contracts summary

***CI C.5 Notice of Completions: Bid 1471390-01 Peres Dental Clinic, Bid J068150 Dover Elementary School Increment 2 New School, Bid 1121341-04 Coronado Elementary School Demolition, Bid J068288 Kennedy High School ADA Upgrades, and Bid 1261612-00 Lupine Hills Elementary School Shade Structure**

Comment:

Substantial completion notices has been received for: Bid 1471390-01, Bid J068150, Bid 1121341-04, Bid J068288, and Bid 1261612-00.

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 contractors:

R.L. Ziegenbein Construction, Inc., Bid 1471390-01 Peres Dental Clinic
Alten Construction, Inc., Bid J068150 Dover Increment 2 New School
Wreck Age Demolition, Inc., Bid 1121341-04 Coronado Demolition
CF Contracting, Bid J068288 Kennedy ADA Upgrades
USA Shade & Fabric Structures. Inc., Bid 1261612-00 Lupine Hills Shade Structure

Recommendation:

Recommend approval of these notices of completion

Fiscal Impact:

None

***CI C.6 CalPERS Retiree Health Care Resolutions – for those retiring prior to January 2007
Resolution #75-1213 – Unrepresented Management
Resolution #76-1213 – Public Employees Union (Local One)
Resolution #77-1213 – School Supervisors Association (SSA)**

Resolution #78-1213 – West Contra Costa Administrators’ Association (WCCAA)
Resolution #79-1213 – Unrepresented Confidential
Resolution #80-1213 – United Teachers of Richmond (UTR)

Comment:

Each year, since adopting CalPERS as the District’s health benefits provider, the Board has been required to adopt resolutions acknowledging rates and contributions. Employees who retired prior to January 1, 2007 were offered “a fully paid HMO plan”. Historically, the District has used the Blue Shield rate as its “fully paid HMO standard” because it has always been the most expensive HMO health plan while the Kaiser premiums have always been the less expensive (*and still is for most coverage types*).

Beginning January 2013, the Kaiser Medicare plan *now* has a higher monthly premium rate than the Blue Shield Medicare plan. The difference is \$27.05 for single; \$54.10 for 2 party; and \$81.15 for family. CalPERS automatically set up a monthly deduction for this difference and it has been deducted from the retirees’ checks.

In order to remedy the situation the District must provide a new board approved resolution to CalPERS that will reset the amounts to be paid by the District so that the Kaiser Medicare HMO premium is fully covered. CalPERS has indicated it will take approximately two months to implement the change, so by June 1, 2013 we expect that the correction will be made.

In the meantime, to address the deduction that has been taken from the retirees checks, the District will be processing a refund.

Recommendation:

Recommend Approval

Fiscal Impact:

None – Retiree benefits already budgeted

***CI C.7 First Reading: BP 7214.4 Investor Relations and BP 7214.3 Bond Refunding**

Comment:

As the District’s Bond Finance Program has developed the Board Member representatives on the Facility Sub Committee expressed an interest in developing Board Policies for Investor Relations and Bond Refunding standards and parameters. The Facility Sub Committee had an opportunity to review these policies at their April 9th meeting. Tonight, a representative from GCR will be present to answer any questions the Board may have regarding these policies. After the first reading and input from the Board the final policies will be presented for adoption.

Recommendation:

Review new Board Policies which will then be recommended for adoption at the April 24, 2013 Board meeting.

Fiscal Impact:

None

***CI C.8 Certificated Board Authorization - Education Code 44258.3**

Comment:

Ed Code 44258.3 allows the Governing Board of a school district to authorize the holder of a multiple subject, standard elementary, single subject or standard secondary, credential with his or her consent, to teach departmental classes in grades K-12 provided the teacher has adequate knowledge of subject matter.

Recommendation:

Recommend Approval

Fiscal Impact:

None

***CI C.9 Certificated Provisional Internship Permit (PIP) Request(s)**

Comment:

The Provisional Internship Permit (PIP) was created in response to the phasing out of emergency permits and became effective on July 1, 2005. It allows an employing agency to hire an individual who has not yet met the subject matter competence requirement needed to enter an internship program. Prior to requesting a PIP, the employing agency must verify that a diligent search has been made, and a fully credentialed teacher cannot be found. The PIP is issued for one (1) year and is renewable one time only provided the teacher has taken all appropriate subject matter examinations, but has not yet passed those tests.

Recommendation:

Recommend Approval

Fiscal Impact:

None

***CI C.10 California State Athletic Directors Association State Conference**

Comment:

This is the 45th CSADA State Conference that the District Athletic Director and three other Athletic Directors will be attending for four days. The conference will be covering topics on safety, liability, current issues in sports, rules and compliance, competitive discipline, legal issues, management of games, strategies, etc.

Recommendation:

Recommend Approval

Fiscal Impact:

\$3,500.00 Athletic Funds

***CI C.11 Middle College Students attending Student Leadership Conference April 13-17, 2013**

Comment:

Five students from Middle College High School will be attending the 20th annual Middle College National Consortium's Student Leadership Initiative. The Student Leadership Initiative is a unique program that develops and promotes student voice within the community. Each year, selected students from MCNC schools across the nation engage in an eight-month project arising from environmental or social justice issue. Students use social media to discuss and build programs that educate and engage their schools and communities in focused social action. This year's theme is what makes a Healthy Community?

Recommendation:

Recommend Approval

Fiscal Impact:

\$5,000.00 Chevron Donations, \$1,000.00 Title I Funds

***CI C.12 Middle School Physical Education Waiver**

Comment:

Board Policy 6142.7 provides the parameters for the statutorily required instruction in physical education. Statute and policy both allow a high school student who has met the criteria for fitness from the Physical Fitness Test to have a portion of the physical education requirement to be waived.

At the March 27, 2013 special meeting about the Portola feeder pattern schools, the Board heard a report from District Physical coordinator Darrin Zaragoza regarding the modifications in practices that would allow middle school students to access a wavier similar to that allowed in high school. The Middle School PE Exemptions/Waivers would be allowed if the following criteria are met:

- The student's parent / guardian consents to the exemption; and
- The student has met satisfactorily any five of six standards of the physical performance test administered in grade seven pursuant (the FITNESSGRAM®). A student has satisfactorily met the standards of the FITNESSGRAM® if the student performs within the Healthy Fitness Zone (HFZ) on tests in five of the six areas.

Other existing P.E. exemptions / waivers at the middle school such as for illness would continue.

Recommendation:

That the Board allow P.E. waivers beginning with the 2013-14 school year at the middle schools with the conditions cited above.

Fiscal Impact:

Unknown depending on the number of students who are granted the waiver and require an additional elective class

***CI C.13 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 as noted

Fiscal Impact:

Total for this action: \$358,072. Funding sources Measure J Bond and Measure D-2010 Bond.

***CI C.14 Ratification and Approval of Negotiated Change Orders**

Comment:

Staff is seeking ratification of Change Orders on the following current District construction projects: Richmond HS Emergency Lighting; Peres ES Modernization; Ohlone ES Phase I New Classroom Bldg.; Kennedy HS Quad Landscape Upgrades; Vista HS Portable Tech Labs Civil Work; and Dover ES Increment 2. 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 addition to normal ratification, approval of the noted Change Orders for the Kennedy HS Quad Landscape Upgrades and Vista HS Portable Tech Labs Civil Work projects is required by the Board, with special findings as noted below, because this project is in excess of the Public Contract Code limit of 10% of the original contract value. 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: \$151,020.79

***CI C.15 Annual Financial Audit of District Bond Program**

Comment:

Crowe Horwath LLP has completed the 2011- 2012 independent financial bond audit. The financial bond audit report was presented to the Citizen Bond Oversight Committee at their meeting on March 27, 2013. The Financial Bond Audit report may be viewed on the WCCUSD website and at the District Office, located at 1108 Bissell Avenue, Richmond, CA.

Recommendation:

Accept the financial bond audit report, for the year ending June 30, 2012

Fiscal Impact:

None

***CI C.16 Annual Proposition 39 Performance Audit of the District Bond Program**

Comment:

The District is required to complete a Proposition 39 annual independent performance audit of the bond program. Total School Solutions has completed the 2011 - 2012 independent the annual performance bond audit. The performance bond audit report was presented to the Citizen Bond Oversight Committee at their meeting on March 27, 2013. The Performance Bond Audit report may be viewed on the WCCUSD website and at the District Office, located at 1108 Bissell Avenue, Richmond, CA.

Recommendation:

Accept the performance bond audit report, for the year ending June 30, 2012

Fiscal Impact:

None

***CI C.17 Citizens' Bond Oversight Committee (CBOC) Appointment: Norma Martinez-Rubin appointed by Supervisor Glover**

Comment:

Supervisor Glover has forwarded a recommendation that Norma Martinez-Rubin be the County District V appointee on the West Contra Costa Unified School District Citizens Bond Oversight Committee.

Recommendation:

Approve appointment as noted

Fiscal Impact:

None

***CI C.18 Resolution No. 82-1213: District Policy and Procedures for Determination of Non-Responsibility and Debarment of Contractors**

Comment:

The California Public Contract Code requires the District to award contracts only to the “lowest responsible bidder.” (Public Contract Code §§ 20111(a) & (b)) A “responsible bidder” is one that has “demonstrated the attribute of trustworthiness, as well as quality, fitness, capacity, and experience to satisfactorily perform the public works contract.” (Public Contract Code section 1103).

The award of contracts to contractors who fail to deal with the District in good faith compromises the integrity of the contracting process and results in the improper expenditure of public funds. Debarment is discretionary action that, taken in accordance with the procedures set forth in the District's Policy and Procedures for Determination of Non-Responsibility and Debarment of Contractors (“Debarment

Procedures”), is designed to protect the District by ensuring full and open competition by having contractual relationships only with responsible persons.

The District’s Debarment Procedures are designed to accomplish the following:

- Comply with Public Contract Code sections 1103 and 20111;
- Implement Board Policy (“BP”) 3311 and Administrative Regulation (“AR”) 3311 to ensure that District contracts are let to responsible bidders;
- Set forth the grounds for debarment; and
- Set forth procedures for appeal of decision to debar.

Recommendation:

Approve Resolution No. 82-1213

Fiscal Impact:

To Be Determined

***CI C.19 Measure J and D 2010 and Measure E 2012 Program Budget Updates**

Comment:

The District needs to update the Bond Program Budget to accommodate updated anticipated project costs, based on recently received bids. The attached expenditure authorization worksheet includes these proposed adjustments.

Several current construction estimates were revised to reflect current standards and bidding environment for project budgets; therefore an ongoing reconciliation will be needed as projects are bid, closed out, and/or additional expenditures are incurred.

Staff can provide a brief presentation to the Board.

Recommendation:

Approve Measure J and D 2010, Measure E 2012, Bond Program budget expenditure authorization.

Fiscal Impact:

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

***CI C.20 Ratification of Staff Awarded Contract: Portola MS at Castro ES**

Comment:

Hibser-Yamauchi Architects has prepared plans and specifications for the project. Scope of work includes selective demolition of the existing Castro Elementary School site, modernization of remaining buildings, construction of new buildings, including a new multi-purpose building, a new classroom building, and associated site improvements.

The District conducted a public bid process for the project. Bids were received on March 21, 2013. Six contractors submitted bids. They are as follows: Arntz Builders, Inc., \$42,942,000; Lathrop Construction Associates, Inc. \$43,793, 714; Alten Construction, Inc., \$44,123,022; Roebbelen

Contracting, Inc., \$44,343,281; Wright Contracting, Inc., \$44,450,365; S.J. Amoroso Construction, Inc., \$44,977,000. The lowest apparent bidder is Arntz Builders, Inc.

In consideration of the need to complete the work expeditiously, the Board authorized award of a contract for the project to the lowest responsive, responsible bidder at the conclusion of the bid protest period.

Recommendation:

Ratify the award to Arntz Builders, Inc. \$42,942,000.

Fiscal Impact:

\$42,942,000. Project will be funded from Measure D-2010.

***CI C.21 Nystrom Elementary School Abatement and Selective Demolition Award of Contract**

Comment:

Interactive Resources has prepared plans and specifications for the project. Scope of work includes the selective interior demolition within the 40,000 sf, two-story, wood school building, as well as the full demolition of three buildings on the site, including the existing kindergarten building, multi-purpose building, and boiler room building. Additionally, the existing elevator and tower structure will be demolished.

The District conducted a public bid process for the project. Bids were received on March 28, 2013. Two contractors submitted bids. They are as follows: Performance Abatement Services, \$977,766; Evans Brothers, Inc., \$1,762,085. The lowest apparent bidder is Performance Abatement Services.

Recommendation:

Award contract to Performance Abatement Services

Fiscal Impact:

\$977,766 Funded from the Measure D-2010 Bond.

***CI C.22 Williams Lawsuit Complaints Quarterly Report**

Comment:

The Williams Lawsuit requires that a quarterly report be brought before the Board of Education reflecting the number of complaints filed with any school in the district during a particular quarter. This report reflects the time period from January 1, 2013 through March 31, 2013.

Recommendation:

Recommend Approval

Fiscal Impact:

None

***CI C.23 Acceptance of Contra Costa County Office of Education 2nd Quarter Report for Williams Settlement Legislation**

Comment:

As a part by the compliance requirements for the Williams Settlement Legislation, the Contra Costa County Office of Education has submitted its second quarterly report for fiscal year 2012-2013. This report presents the result of review of the West Contra Costa Unified School District for the period of October, November, and December 2012.

Recommendation:

Recommend Acceptance of Report

Fiscal Impact:

None

D. AWARDS, RECOGNITIONS, AND REPORTS

*** D.1 Teacher of the Year/Ed. Fund Excellence in Education Award Winner Recognition**

Comment:

West Contra Costa Unified School District and the Ed Fund have once again combined the Teaching Excellence Awards process with the Teacher of the Year Awards process.

The names of this year's teachers being celebrated are: Nathan Jackson (DeJean), Beth Levine (Montalvin), Steve Mainini (Kennedy), Mike Mannix (Richmond High), and Eric Verpraukus (Lincoln).

These teachers of excellence share a profound passion for instilling a love of learning in our diverse students so that they can attain their goals and realize their dreams. By carefully and thoughtfully weaving creativity, adherence to high standards, profound knowledge of the subjects being taught, and appreciation of individual differences, needs, and strengths, these award winning teachers raise the quality of education to new heights.

We want to recognize and congratulate our honorees for all the wonderful work they carry out with our students on a daily basis.

Recommendation:

Celebrate the winners

Fiscal Impact:

None

*** D.2 Report on King TECHS Club Program**

Comment:

The City of Richmond and West Contra Costa Unified School District have entered into an MOU for the purpose of establishing and maintaining an effective partnership to service Richmond youth through the Richmond Crime Prevention Training and Education in Community, Home and School (TECHS) club. The program encourages responsible behavior, good citizenship, personal safety and respect for other

people's property. Objectives to achieve program goals are implemented through educational and recreational classroom activities, guest speakers, role playing, positive reinforcement and rewards. TECHS also presents each student who completes the program with a certificate of completion and educational gifts at King School's annual award ceremony in June. Staff will give a report.

Recommendation:

Report Only

Fiscal Impact:

None

* **D.3 WCCUSD Common Core Standards Project Plan**

Comment:

At its January 2013 retreat, the Board of Education nominated two board members: President Madeline Kronenberg and Todd Groves to form a Common Core Task Force that would work with WCCUSD stakeholders to create a project plan for the district's pathway to implementing the Common Core Standards.

Tonight's report will focus on the members of the Task Force, summarize the work that has been accomplished, as well as share the resulting Common Core Project Plan.

Recommendation:

For Information Only

Fiscal Impact:

None

* **D.4 Budget Update**

Comment:

Associate Superintendent Business Services will provide an update on the budget.

Recommendation:

For Information Only

Fiscal Impact:

None

* **D.5 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
Community Budget Advisory Committee
Facilities Subcommittee
Ivy League Connection
College and Career Readiness Academies

Public Employees Local 1
Safety Committee
School Supervisors Association
United Teachers of Richmond
Youth Commission

E. PUBLIC AND COMMITTEE COMMUNICATIONS
(Education Code 35145.5; Government Code 54950 et seq.)

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

* **E.2 Request to Address the Board on CALRTA Volunteer Hours**

Comment:

Ms. Elizabeth Underwood and Ms. Nancy Hendrickson will provide a report regarding volunteer hours contributed by CALRTA Division 58 members.

Recommendation:

For Information Only

Fiscal Impact:

None

* **E.3 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 Scholar in Residence**

Comment:

At the special meeting regarding the Portola feeder schools on March 27, 2013, Board member Todd Groves proposed that the Board authorize a plan to create a "Scholar in Residence" program in the West Contra Costa Unified School District. Mr. Groves described the position as one that would change each year to allow the strengths of the scholar to align with the needs of the District. The scholar would provide support to teachers and schools in developing programs so that they reflect the best practices from research, enhance the professional learning communities in each of the schools and conduct a research

project to increase self-awareness as well as the gap between proven practices and more typical but less effective instruction.

Recommendation:

That the Board authorize the Superintendent to design and implement a process for a Scholar in Residence for 2013-14.

Fiscal Impact:

\$60,000 to \$100,000 for all costs of the program

* **F.2 Restoration of Elementary Instrumental Music**

Comment:

In early 2009 during the height of the great recession and the severe reduction in state funding, the District eliminated the elementary instrumental music program. For many years, the District had employed four instrumental music teachers to provide ‘pull-out’ services in each elementary school as well as a full-time instrumental music coordinator who also provided organization and management for the middle and high school programs. While some schools have been able to restore after-school instrumental music through grants and fund raisers, most elementary schools have not had the resources to do so.

At the special meeting regarding the Portola feeder pattern on March 27, 2013, the Board discussed a long-term strategy to enhance the fine arts in WCCUSD with the possibility of creating an arts academy at El Cerrito High School. With the District and community currently engaged in an effort to develop a 2013-2018 strategic plan, the arts enhancement effort will clearly be part of that plan development.

At March 27, 2013 meeting, the Board gave direction to bring an action item to the Board that would initiate the restoration of an elementary instrumental music program for the 2013-14 school year. While the program would not necessarily have to be the same as the one that was eliminated after the 2008-09 school year, it may well have some similar elements in providing opportunities for students in grades 4th, 5th and 6th to learn to play a music instrument. Even though the financial situation of the District has improved, it would be prudent from both the financial and program-development elements to bring back elementary instrumental music in deliberate and gradual way. Therefore, the request for program and budget allocation is for two teachers and part-time coordination for 2013-14. The other elements of the restoration and enhancement of the arts would follow the timeline and action strategies of the 2013-2018 strategic plan.

Recommendation:

That the Board authorize that the 2013-14 budget include the equivalent of a maximum of 2.5 full-time equivalent positions in elementary instrumental music teaching and coordination.

Fiscal Impact:

Approximately \$200,000 from the General Fund for 2013-14

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 for information regarding individual projects:

- Engineering Officer's Report – Verbal Presentation
- Construction Status Reports – Current Construction Projects

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 – April 24, 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

April 10, 2013

1. CONFERENCE WITH REAL PROPERTY NEGOTIATOR

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

a. WCCUSD v. Orrick

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

To: Board of Education

Meeting Date: April 10, 2013

From:  Wendell C. Greer
Associate Superintendent, K – Adult Operations

Agenda Item: B.4

Subject: Presentation of Student Board Representative from Vista High School

Background Information:

A Student Board Representative from Vista High School will attend the Board of Education on April 10, 2013. We would like to recognize and commend their participation.

Recommendation: For Information Only

Fiscal Impact: None

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____

Seconded by: _____

Approved _____

Not Approved _____

Tabled _____

**West Contra Costa Unified School District
Minutes of the Board of Education Meeting
Lovonya DeJean Middle School
3400 Macdonald Avenue
Richmond, CA 94805**

Agenda Item B.7

March 20, 2013

A. CLOSED SESSION

B. OPENING PROCEDURES

President Kronenberg called the meeting to order at 5:30 P.M. The Board recessed into Closed Session. President Kronenberg called the Public Session to order at 6:31 P.M.

B.1 Pledge of Allegiance

President Kronenberg led the pledge of allegiance.

B.2 Welcome and Meeting Procedures

President Kronenberg offered welcome and instructions to the public regarding the meeting.

B.3 Roll Call

Board Members Present: Randall Enos, Todd Groves, Madeline Kronenberg, Elaine Merriweather, Charles Ramsey

Staff Present: Magdy Abdalla, Engineering Officer; Steve Collins, SELPA Director; Martin Coyne, Executive Director Bond Finance; Linda Delgado, Coordinator; Luis Freese, Executive Director Maintenance/Operations; Sheri Gamba, Associate Superintendent for Business Services; Marco Gonzales, Downer Elementary Principal, Wendell Greer, Associate Superintendent K-Adult Schools; Bruce Harter, Superintendent; Debbie Haynie, Executive Secretary; Antoinette Henry-Evans, K-12 Executive Director; Joshua Herrera, Electronics Technician; Keith Holtlander, Director of Facilities; Phil Johnson, Kennedy High Principal, David Johnston, Director General Services; Sue Kahn, Pinole Valley High Principal; David Luongo, El Cerrito High Principal, Reyna Ortiz de Touriel, Interpreter; Daniela Parasidis, Director Business Services; Joe Mayes, Maintenance Manager; Lyn Potter, Director Categorical/Instructional Support Services; Nia Rashidchi, Assistant Superintendent, Education Services; Liz Torio, Director Academic Intervention; Marin Trujillo, Coordinator Community Engagement; Katie VonHusen, Coordinator Education Services; Kenneth Whittemore, Assistant Superintendent Human Resources

B.4 Presentation of Student Board Representative from Hercules High School

This item was moved to later in the meeting to accommodate Ms. Smith's late arrival.

B.5 Report/Ratification of Closed Session

Superintendent Harter asked the Board to ratify action taken in Closed Session to terminate a classified employee.

MOTION: Mr. Ramsey moved approval of the action taken in Closed Session to terminate a classified employee. Mr. Groves seconded. Mr. Enos, Mr. Groves, Mr. Ramsey, and President Kronenberg voted yes, with Ms. Merriweather abstaining and no absences. Motion carried 4-0-1-0.

B.6 Agenda Review and Adoption

Mr. Ramsey asked the Board to consider moving items E.1 Superintendent's Report and G. 1 Charter Hearing for Caliber Schools to follow Consent Items.

MOTION: Mr. Ramsey moved approval of the agenda with the recommended changes. Mr. Groves seconded. Mr. Enos, Mr. Groves, Ms. Merriweather, Mr. Ramsey, and President Kronenberg voted yes, with no abstentions and no absences. Motion carried 5-0-0-0.

B.7 Minutes: January 15, 2013; January 29, 2013; March 6, 2013

MOTION: Mr. Ramsey moved approval of the Minutes of January 15, 2013; January 29, 2013; and March 6, 2013. Ms. Merriweather seconded. Mr. Enos, Mr. Groves, Ms. Merriweather, Mr. Ramsey, and President Kronenberg voted yes, with no abstentions and no absences. Motion carried 5-0-0-0.

C. BUSINESS ITEMS

- C.1 Acceptance of Donations**
- C.2 Approval of Fund-Raising Activities**
- C.3 Contracted Services**
- C.4 Summary of Payroll and Vendor Warrant Reports**
- C.5 Resolution No.73-1213: Directing Preparation of Annual Engineer's Report - MRAD**
- C.6 Notification of Claim Rejected**
- C.7 Approve the following New Job Description: Senior School Facilities Planning Specialist**
- C.8 Approve the following New Job Description: Preschool Cashier**
- C.9 Approval of Sabbatical Leave Requests for 2013-2014**
- C.10 Certificated Board Authorization - Education Code 44258.3**
- C.11 Single Plans for Student Achievement (SPSAs)**
This item was pulled for discussion.
- C.12 Day of Recognition for César Chávez - March 31, 2013**
- C.13 Ratification and Approval of Engineering Services Contracts**
- C.14 Ratification and Approval of Negotiated Change Orders**
- C.15 Approval of Awards of De Anza High School Furniture Contract**
Superintendent Harter read the following revision to this item into the record:

The new construction of De Anza High School is nearly complete. The next step for the District is to purchase new furniture for the school. The District has prepared preliminary furnishing criteria with classroom configurations, specialty spaces including computer labs, special education, admin furnishings, offices and staff work areas.

The District engaged in a public bid process, using its preliminary furnishing criteria to select the vendor for this contract. Public bids were opened on March 14, 2013. They are as follows: Concept Furnishings \$1,012,263.48 (non-responsive), Contrax Group, LLC \$1,199,950.36.

Recommendation: *Approve contract for De Anza High School furniture, setup and installation to Contrax Group, LLC*

Fiscal Impact: *Total for this action: \$1,199,950.36. Funded by Measure J Bond, under the De Anza High School Furniture and Equipment Budget.*

- C.16 Approval of Riverside Elementary School Master Plan Fees**
- C.17 Measure J and D 2010, Measure E 2012, Bond Program Budget Expenditure Authorization**
Mr. Ramsey amended the recommendation regarding the Kennedy Swim Center to clarify the funds budgeted to be \$7.2 million including the cost for the District to handle the bid process and construction management of the project.
- C.18 Revised E-Rate Funding for Year 15 – Form 470 Technology Services**
- C.19 E-Rate Funding Year 16-Contract award to Vendor, Upon E-Rate Funding Approval for RFP# IT2012**

MOTION: Mr. Ramsey moved approval of Consent Items C.1 – C.10, C.12 - C.19. Mr. Enos seconded. Mr. Enos, Mr. Groves, Ms. Merriweather, Mr. Ramsey, and President Kronenberg voted yes, with no abstentions and no absences. Motion carried 5-0-0.

- E.1 Superintendent's Report – César Chávez Recognition**
Principal Marco Gonzales introduced students from the Downer Elementary's guitar class Little Kids Rock program who played and sang the song *Si Se Puede*.

Ms. Bertha Romo, working with the cities of Richmond and San Pablo, shared their Service Learning project for students working in service to the community. Some of their projects included a walk-a-thon and a mural along the Richmond Greenway. Global Youth Day Leadership committee members introduced themselves and told about their involvement: Jaime Alvarez, Monroe Ayala, Maria Laura, and Hugo Perez. They shared how Service Learning taking place in the District falls in line with the beliefs of César Chávez.

- F.1 Approval of Agreement with United Teachers of Richmond (UTR) / AB1200 Public Disclosure of Collective Bargaining Agreement with UTR**
Superintendent Harter reported that staff had removed this item from the agenda at this time.

MOTION: Mr. Ramsey motioned to remove item F.1 Collective Bargaining Agreement with UTR from this agenda. Mr. Enos seconded. Mr. Enos, Mr. Groves, Ms. Merriweather, Mr. Ramsey, and President Kronenberg voted yes, with no abstentions and no absences. Motion carried 5-0-0 to remove the item from the agenda.

MOTION: Mr. Ramsey motioned to amend the agenda by moving item E.2 Public Comment to follow D.4 Academies Readiness for College & Career. Mr. Enos seconded. Mr. Enos, Mr. Groves, Ms. Merriweather, Mr. Ramsey, and President Kronenberg voted yes, with no abstentions and no absences. Motion carried 5-0-0-0.

G.1 Caliber Charter School

Linda Delgado introduced Allison Aknoukh to provide background on the Caliber Charter School petition. Once complete this item will return for Board action at the May 1st meeting. Ms. Allison Aknoukh presented information regarding their proposed K-8 school serving families in the West Contra Costa area.

At 7:11 PM the record reflected the arrival of Student Representative Ashlyn Smith.

Public Comment:

Mary Alice Harris, Pastor Aaron Roy, Matt Arciniega, LaRon Belcher, Hilary Harmssen, Tameka Cato, Richard DeLao, Kirsten Scheu, Sam Humphrey, Carolina Guerrero, Yasmin Barraza, Jeff Leach

Board Comment:

Mr. Ramsey said staff would review the application for its merits.

Mr. Groves had questions about the academic program. Ms. Akhnoukh asked Ms. Scheu to respond to the inquiries about curriculum, Read 180 and Singapore Math. Other topics discussed included alignment to California Common Core Standards and personalized learning plans.

Ms. Merriweather asked about the location of the school. Ms. Aknoukh said they have a strong preference to locate in the Richmond area and with accessibility to families in El Cerrito and San Pablo. If the charter is approved, they intend to submit a Proposition 39 facilities application to the District. They have also begun preliminary research for private facilities.

Ms. Kronenberg asked about length of school year and the proposed innovative school calendar. Ms. Aknoukh spoke about learning loss during summer months and that the school is looking to shorten the summer break with a longer break in winter months. The school day will consist of a nine hour school day with afterschool enrichment, and a modified day on Wednesdays. Professional development and teacher benefits were also touched upon.

B.4 Student Representative from Hercules High

Ms. Ashlyn Smith provided a report of activities at Hercules High School.

D. AWARDS, RECOGNITIONS, AND REPORTS

D.1 Richmond Association of School Administrators (RASA) Award Winners

Superintendent Harter introduced Sue Kahn to recognize Administrators of the Year. Principal Kahn recognized the following administrators as ACSA Region VI / RASA Award winners for 2013. Ms. Kahn also announced that Julio Franco, Steve Collins and Nia Rashidchi will be recognized as ACSA Region VI winners.

Judy Sanders
Matt Burnham
Julio Franco
Sonja Neely-Johnson
Emily Millar
Luis Freese
Martin Coyne
Steve Collins
Nia Rashidchi
Pamala Blake
Haidee Foust

Janice Thompson
Dottie Holland

Public Comment:

Nathalie Van Linder

Board Comment:

Board members offered their congratulations.

D.2 Mock Trial

Mr. Greer recognized the participation of Hercules, Richmond, Kennedy and El Cerrito High Schools in the Mock Trial Program. He introduced Ms. Nancy Schiff who provided an update and overview of mock trial activities that took place in the Martinez courtroom. Teachers Greg Whaling of Kennedy and Robert Fairwell of El Cerrito High Schools commented on the students' achievements. The students told of their participation and the skills and knowledge they gained from Mock Trial.

Public Comment:

None

Board Comment:

Mr. Ramsey asked about the summer component of the program. Mr. Stan Friedman related information about the summer legal fellowship at the University of California at Berkeley.

Mr. Enos said that he was a mock trial coach during his teaching career and could relate to what this program offers students.

Ms. Merriweather asked questions about the competition for the summer program. Ms. Schiff said that fifteen slots are guaranteed to District students and she is hopeful for more.

Board members offered their congratulations.

D.3 Extended Learning (Summer School) Program Update

Liz Torio reported on the upcoming summer program planned for June 17 – July 12, 2013.

Public Comment:

None

Board Comment:

Mr. Groves inquired about evidence of student improvement in the subsequent year's courses. Ms. Torio reported that last year's data showed significant gains. Mr. Greer interjected that the majority of students in summer school are seeing credit recover and if passed successfully will advance toward graduation requirements. Discussion continued about the curriculum used and the ATPD program.

Mr. Enos said he noticed the range of choices for student engagement in the various programs. He would also like to see the data about success rates for students in the year following summer school.

Ms. Kronenberg asked about the number of students to be served in this year's summer programs. Ms. Torio, Ms. Rashidchi and Mr. Greer responded that elementary will serve about 1000 students and between 1200 – 1500 students at secondary schools.

The record reflected that Student Board Representative Ashlyn Smith left for the evening at 8:45 PM.

D.4 ARCC -- Academies Readiness for College & Career

Linda Delgado provided an update on college and career readiness. She reported on a recent California Partnership Academy conference attended by 53 district employees. She also told of the upcoming May Residency event where the District will host the program as an opportunity for others to view the progress being made here in West Contra Costa. The event will be held May 21 and 22. Ms. Delgado concluded with an update of the Project Lead the Way bio-engineering and bio-medical curriculum and methodology used in the academies.

Public Comment:

None

Board Comment:

Board members asked questions about teacher training and retention. Mr. Greer and Ms. Delgado responded for clarification.

E.2 WCCUSD Public Comment

Sharon Johnson, Joanna Pace, Elissa Batiste, Jeff Rubin, Norma Martinez-Rubin, Ericca Wall, Jocelyn Straus, Brannan Markert, Max Hauser, Elaine Brady, Heather Hernandez

Mr. Ramsey asked Superintendent Harter about the Shannon Elementary School's selection of architectural firm and moving the reconstruction process forward. Superintendent Harter responded. Mr. Abdalla detailed the process for Shannon's reconstruction.

D.5 Standing Reports

Academic Subcommittee. Ms. Rashidchi announced the next meeting for April 16 at DeJean Middle School, at 6:00 PM. She said this meeting will be a town hall meeting addressing the common core standards and assessments.

Citizen's Bond Oversight Committee. Mr. Ramsey reported that the next meeting is scheduled for March 27, 6:00 PM and the Facilities Operations Center.

Community Budget Advisory Committee. Ms. Gamba announced the next committee meeting for March 28 at the Alvarado Adult Education Campus.

Facilities Subcommittee. Mr. Ramsey reported on the discussion regarding strategies for passage of the debt limit waiver and his attendance of the March State Board of Education meeting. He announced the next Facilities Subcommittee meeting for April 9.

Ivy League Connection. Mr. Don Gosney reported that 34 students had completed the selection process and chaperones have also been selected. Students will attend the May 15 Board of Education meeting for recognition. Mr. Ramsey spoke about successful fundraising efforts and an upcoming mentor event with Yale and Brown universities.

Safety Committee. Ms. Merriweather spoke about the recent meeting where a coordinator from the Contra Costa Health Department shared information about services provided to the high school health centers and conversation about school safety. Mr. Enos shared concerns about parent pick up and drop off of students at school sites. The next meeting will be held in May.

Youth Commission. Mr. Greer announced the next meeting for April 8, 6:30 PM at Helms where agenda items will include a review of the District's debt limit waiver application. Mr. Ramsey spoke about the voting student member seated on State Board of Education and urged youth commissioners to write as constituents.

E. PUBLIC AND COMMITTEE COMMUNICATIONS

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

E.1 Superintendent's Report

This item was moved to follow Consent Items.

E.2 WCCUSD Public Comment

This item was moved to follow C.4.

C.11 Single Plans for Student Achievement (SPSAs)

Mr. Groves had questions about the approval of school site plans for the year. Ms. Rashidchi responded with clarification and information about a new template developed by the State in February 2013. She also spoke about the careful balance to include state mandated elements and adding engaging information for the reader. School Site Councils have ongoing conversations about their school's data.

MOTION: Mr. Ramsey moved approval of C.11 Single Plans for Student Achievement (SPSAs). Mr. Enos seconded. Mr. Enos, Mr. Groves, Ms. Merriweather, Mr. Ramsey, and President Kronenberg voted yes, with no abstentions and no absences. Motion carried 5-0-0-0.

F. ACTION ITEMS

F.1 Approval of Agreement with United Teachers of Richmond (UTR) / AB1200 Public Disclosure of Collective Bargaining Agreement with UTR

This item was removed from the agenda.

F.2 Second Interim Report, 2012-13 / Financial Update

Ms. Gamba provided a presentation regarding the 2nd interim financial report. She reported that staff recommended a positive certification for the District's budget.

Public Comment:

None

Board Comment:

Mr. Ramsey asked questions about retiree benefits. Ms. Gamba provided clarification about the summary of the current year's payment activity. He continued with questions about the proposed ratification of one of the union groups benefit package offer. Ms. Gamba elaborated with information about the Second Interim Report as a financial presentation for action taken since January 2013.

Mr. Groves had questions about Title I and Title II funds spent. Ms. Gamba responded with information regarding the income component.

Ms. Merriweather asked questions about deficit spending and reports from Legislative Analyst's Office regarding deferred funds. Ms. Gamba offered clarification about deferred revenue and accounting procedures to reflect the funds actually received. Ms. Gamba also talked about the District's cash flow circumstances.

MOTION: Mr. Ramsey moved approval of the Second Interim Report, 2012-13. Mr. Enos seconded. A roll call vote was taken with Mr. Enos, Mr. Groves, Ms. Merriweather, Mr. Ramsey, and President Kronenberg voting yes, with no abstentions and no absences. Motion carried 5-0-0-0.

G. DISCUSSION ITEMS

G.1 Charter Hearing for Caliber Schools

This item was moved to follow item E.1.

H. UNFINISHED REQUESTS TO ADDRESS THE BOARD (continued from Item E)

None

I. COMMENTS OF THE BOARD OF EDUCATION AND SUPERINTENDENT

Mr. Ramsey asked Mr. Abdalla about the opening of the Portola/Castro demolition bids. Mr. Abdalla responded with information about the timeline. Mr. Ramsey continued with questions about the King Elementary construction plan. Mr. Abdalla responded that repairs would be completed during spring break. Mr. Ramsey had remarks about the Swim Center at Kennedy High. Mr. Ramsey concluded with remarks about feeder patterns for elementary and middle schools to high schools and issues before the State Board of Education.

Mr. Enos commented about Board members being informed about the state's budget planning.

Ms. Merriweather said she enjoyed tonight's presentations particularly the Mock Trial program presentation. She asked staff to provide an update regarding Proposition 39 funds at a future meeting.

Mr. Groves wished luck to the El Cerrito High debate team headed to state championship competition. He also reported on the Portola math competitors at the upcoming state competition.

President Kronenberg commented about the student member serving on State Board of Education who also serves on her district's youth commission. President Kronenberg commented on the State Assembly Bill AB182 regarding responding to financial abuse and its potential effect to the District's bond program.

J. THE NEXT SCHEDULED BOARD OF EDUCATION MEETING

Lovonya DeJean Middle School – April 10, 2013

K. ADJOURNMENT

President Kronenberg adjourned the meeting at 10:53 P.M.

Motion vote count order: Yes-No-Abstain-Absent

BH:dh

**West Contra Costa Unified School District
Minutes of the Special Board of Education Meeting
Lovonya DeJean Middle School
3400 Macdonald Ave.
Richmond, CA 94805**

Agenda Item B.7

March 27, 2013

A. CLOSED SESSION

A. OPENING PROCEDURES

President Kronenberg called the meeting to order at 6:00 P.M. The Board recessed into Closed Session. President Kronenberg called the Public Session to order at 6:35 P.M.

A.1 Pledge of Allegiance and Welcome / Meeting Procedures

President Kronenberg led those in attendance in the pledge of allegiance and offered welcome and instructions to the public regarding the meeting.

A.2 Roll Call

Board Members Present: Randy Enos, Todd Groves, Madeline Kronenberg, Charles Ramsey. Elaine Merriweather arrived at 6:51 PM.

Staff Present: Magdy Abdalla, Engineering Officer; Matthew Burnham, Portola Principal; Steve Collins, SELPA Director; Clifford Dorton, Electronics Technician; Sheri Gamba, Associate Superintendent, Wendell Greer, Associate Superintendent; Bruce Harter, Superintendent; Debbie Haynie, Executive Secretary; Antoinette Henry-Evans, K-12 Executive Director; Nancy Ivey, Portola Vice Principal; Lisa Levy, Washington Elementary Principal; David Luongo, El Cerrito Principal; Reyna Ortiz de Touciel, Translator; Wendy Pangelina, Human Resources Technician; Nia Rashidchi, Assistant Superintendent; Judith Sanders, Kensington Principal; Kenneth Whittemore, Assistant Superintendent Human Resources; Darrin Zaragoza, Coordinator

A.3 Report/Ratification of Closed Session

Superintendent Harter asked the Board to ratify action taken in Closed Session regarding the appointment of Michael Wasilchin, Director of Personnel.

MOTION: Mr. Ramsey moved to ratify the action taken in Closed Session regarding the appointment of Michael Wasilchin as Director of Personnel. Mr. Groves seconded. Mr. Enos, Mr. Groves, Mr. Ramsey and President Kronenberg voted yes, with no abstentions and Ms. Merriweather absent. Motion carried 4-0-1.

B. BUSINESS ITEMS – Consent Items

B.1 Portola Middle School at Castro Elementary School Site Modernization and New Construction Award of Contract

Mr. Abdalla read a revision to this item into the record.

Hibser-Yamauchi Architects has prepared plans and specifications for the project. Scope of work includes selective demolition of the existing Castro Elementary School site, modernization of remaining buildings, construction of new buildings, including a new multi-purpose building, a new classroom building, and associated site improvements.

The District conducted a public bid process for the project. Bids were received on March 21, 2013. Six contractors submitted bids. They are as follows: Arntz Builders, Inc., \$42,942,000; Lathrop Construction Associates, Inc. \$43,793,714; Alten Construction, Inc., \$44,123,022; Roebbelen Contracting, Inc., \$44,343,281; Wright Contracting, Inc., \$44,450,365; S.J. Amoroso Construction, Inc., \$44,977,000. The lowest apparent bidder is Arntz Builders, Inc.

Recommendation: *Award contract to the lowest responsive, responsible bidder at the conclusion of the bid protest process period.*

Fiscal Impact: *\$42,942,000 - \$44,977,000 Funded from the Measure D-2010 Bond.*

Mr. Ramsey asked for an explanation of the bid protest period. Mr. Abdalla responded with information about the required three day waiting period for this size project. He remarked that one protest had been received and a letter

was sent to the contractor for opportunity to respond. Mr. Abdalla estimated that the protest would be resolved by early next week. This item will return for Board ratification at the April 10 meeting.

MOTION: Mr. Ramsey moved approval of Consent Item B.1 Portola Middle School at Castro Elementary School Site Modernization and New Construction Award of Contract. Mr. Groves seconded. Mr. Enos, Mr. Groves, Mr. Ramsey and President Kronenberg voted yes, with no abstentions and Ms. Merriweather absent. Motion carried 4-0-0-1.

C. SPECIAL MEETING PURPOSE / PROCEDURES

President Kronenberg explained the purpose of the meeting as opportunity for a public conversation around the future of Portola including the rebuilding of the structure and continuing to excel in academics and safety.

Mr. Groves said this is an opportunity to think about what the community wants for the school and confidence building.

President Kronenberg called a brief recess of the meeting due to technical difficulties at 6:45 PM.

The meeting resumed at 6:49 PM.

D. BACKGROUND INFORMATION AND DATA REVIEW

Superintendent Harter provided background and focus regarding the eight schools of the El Cerrito Family. The presentation included information regarding API scores over the last three years, descriptions of schools students including English Language Learners, Free and Reduced Lunch, Special Education as well as enrollment stability.

Ms. Merriweather arrived at 6:51 PM.

Board Comment:

Mr. Groves said he found the data helpful.

President Kronenberg reflected that antidotal stories do not always fit with the actual data.

E. PORTOLA MIDDLE SCHOOL PRESENTATION

Portola Principal Matthew Burnham provided a report on the school. He began with the school's vision statement created by faculty and staff with a focus on student learning. He continued to elaborate on the school's diversity and unique challenges, including safety, communications, opportunities, resources, and goals for the 2013-14 year.

Mr. Burnham concluded by seeking support on two initiatives for the school: the Universal Design for Learning program and the development of a learning center for the school.

Board Comment:

Mr. Enos said he appreciated the presentation, as well as the commitment of faculty community.

Ms. Merriweather said that she had visited school several times but learned new things with this presentation. She agreed that the focus of Portola is about the children and academic success.

Mr. Ramsey spoke about building the new facility. He also asked Mr. Burnham for his thoughts about PE Waivers. Mr. Burnham answered with reasons for seeking a waiver as the opportunity for a student to take more than one elective and also because of large PE class sizes. Mr. Burnham said he felt that PE classes offered opportunity for students to mix well with their peers, but the large classes sizes hinders the ability of the teacher. If a large number of students received a PE waiver, Mr. Burnham said the school would have to offer more elective classes which would require more Full Time Equivalent teaching positions. Mr. Ramsey continued with questions about the gap in achievement for incoming students and the challenge that the wide range in skills presents to the faculty.

Mr. Groves responded that he thought the Universal Design for Learning Program and a learning center would be items that the Board can support to assist Portola students.

President Kronenberg said she agreed that the Universal Design program addressed the need for support in meeting children at their different learning levels and skills. President Kronenberg asked Mr. Burnham for his vision for a learning center. He elaborated with information about serving the lowest performing students and students with

special needs. He saw the model as one for students working in small groups to build skills to use successfully in the classroom. The program would work with graduate tutors and an RSP teacher.

Mr. Groves acknowledged the hard work of Mr. Burnham and his staff. He continued to talk about changing the culture among students. Mr. Groves suggested moving ahead with plans for the Universal Design program and learning center.

Ms. Merriweather said that she thought that the new building and programming would draw more students.

F. COMMUNITY SUGGESTIONS FOR IMPROVEMENTS

J.J. Thorp, Ellen Hartigan-O’Conner, Mary Schmida, Bryan Brandow, Sally Finchbaugh, Carolyn Day Flowers, Heidi Bartsch, Bobbie Dowling, Luisa Valiela, Leslie Reckler, Joanna Pace, Susan Riggle, Bob Adams, Julie Yamashita, Saidah Said

G. RELATED SUGGESTIONS

G.1 Scholar in Residence

Mr. Groves provided information about the need for external resources to support a proposal for an annual position for an education academic acting as a Scholar in Residence to impart their research knowledge, support best practices for student learning, and provide local context behind education issues unique to the District. This position would be charged with following projects and leading workshops to support interested educators to incorporate new classroom strategies. Each year would conclude with a detailed understanding from an academic researcher and professional conference about an area of interest.

Board discussion:

Ms. Merriweather said that she would like to see more information before voting. Mr. Enos agreed with Ms. Merriweather.

Motion: Mr. Ramsey moved for consensus that the item Scholar in Residence be brought to the April 10 meeting for ratification by the Board. Mr. Groves seconded. A roll call vote was taken with Mr. Groves, Mr. Ramsey and President Kronenberg voting yes, Mr. Enos and Ms. Merriweather voting no with no abstentions and no absences. Motion carried 3-2-0-0.

G.2 School of the Arts Focus

Superintendent Harter spoke about a focus for the arts and strengthening the programs currently in the academies of fine arts. With the elimination of the elementary music programs due to fiscal constraints, there are a few areas where families have gotten together to support instrumental music, leaving lower income areas with no instrumental music program. Superintendent Harter would like to begin to restore the arts in the District with a goal of developing a fine arts academy at El Cerrito High. This is an opportunity for the Board and staff to discuss developing a plan.

Mr. Ramsey agreed that the District has missed the enriched diversity of arts. He is willing to support bringing this item back to the Board for ratification at the April 10 meeting.

Mr. Groves asked David Luongo, Keith Johnson, Tiffany Carrico, and Matthew Burnham to address the Board. They spoke about the robust performing arts program at El Cerrito High School. Mr. Luongo recommended a conversation about the existing three academies and logistical components of adding a performing arts academy. Mr. Johnson thanked the Board for the conversation about an elementary and middle school music program. Ms. Carrico spoke about the opportunity for two middle school beginning band classes for woodwinds and brass instruments.

Ms. Merriweather spoke about the voter approved parcel tax funding this type of programs. She was supportive of the return of elementary music.

President Kronenberg said she also supported this idea as a way to serve students.

Motion: Mr. Ramsey motioned for this item to be brought to the April 10 meeting for ratification by the Board. Mr. Enos seconded. A roll call vote was taken with Mr. Enos, Mr. Groves, Ms. Merriweather, Mr. Ramsey and President Kronenberg voting yes, with no abstentions and no absences. Motion carried 5-0-0-0.

G.3 P.E. Waiver

Darrin Zaragoza, Coordinator for Physical Education Programs, presented a recommendation for the exemption waiver policy for middle school physical education programs. He gave information about the criteria for student consent to the exemption and meeting five of the six standards of the Physical Fitness Performance Test administered in Grade 7. Other factors may include required academic enrollment, engagement in an interscholastic athletic program, or possession of exceptional talent or ability.

Mr. Enos moved that the Board accept and implement this recommendation.

Mr. Ramsey said he thought this was a fair proposal to demonstrate the ability to meet the requirements.

Ms. Merriweather said it is a good idea because a parent knows what is best for their child and may want an extra academic challenge for them.

Mr. Groves asked for clarification about whether this applied to all schools. Mr. Zaragoza said this policy would apply to middle schools only.

President Kronenberg agreed that this was an excellent idea and related that her children took advantage of the procedure years ago finding it to be helpful to many students.

Motion: Mr. Enos motioned for this item to be brought to the April 10 meeting for ratification by the Board. Mr. Ramsey seconded. A roll call vote was taken with Mr. Enos, Mr. Groves, Ms. Merriweather, Mr. Ramsey and President Kronenberg voting yes, with no abstentions and no absences. Motion carried 5-0-0-0.

H. THE NEXT SCHEDULED BOARD OF EDUCATION MEETING

Lovonya DeJean Middle School – April 10, 2013

I. BOARD DISCUSSION

Mr. Ramsey wished the audience a good Passover, a happy Easter, and a restful spring break.

J. ADJOURNMENT

President Kronenberg adjourned the meeting at 8:40 P.M.

Motion vote count order: Yes-No-Abstain-Absent

BH:dh

Min 3-27-13 sp

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

ITEM REQUIRING ATTENTION----BOARD OF EDUCATION

To: Board of Education

Meeting Date: April 10, 2013

From: Sheri Gamba 
Associate Superintendent Business Services

Agenda Item: CI C.1

Subject: Grants/Awards/Agreements

Background Information: Formal action is requested from the Board of Education to accept the grants/awards/agreements, as detailed on the attached sheet dated April 10, 2013.

Recommendation: Recommend Approval

Fiscal Impact: As noted per grants summary

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

To: Board of Education

Meeting Date: April 10, 2013

From: Sheri Gamba *SG*
Associate Superintendent Business Services

Agenda Item: CI C.2

Subject: Acceptance of Donations

Background Information: The District has received donations as summarized on the attached sheet dated April 10, 2013. The estimated values for any non-cash donations (as indicated by an asterisk) are those provided by the donor. Staff recommends acceptance of these donations.

Recommendation: Recommend Approval

Fiscal Impact: As noted per donations summary.

DISPOSITION BY BOARD OF EDUCATION		
Motion by: _____	Seconded by: _____	
Approved _____	Not Approved _____	Tabled _____

West Contra Costa Unified School District
 April 10, 2013 Board Meeting

<u>Donor Name</u>	<u>Description or Purpose</u>	<u>Estimated Value</u>	<u>Receiving School or Department</u>
Recycle America	Material & Supplies	\$45.15	Cameron School
Mr. & Mrs. Kelley	In Memory of Harold Silva	\$50.00	Collins Elementary
Mr. David Smith	In Memory of Harold Silva	\$50.00	Collins Elementary
Air Time Media Inc.	5 Flat Screen Computer Monitors	*\$1,500.00	Ellerhorst Elementary
Fairmont PTA	Playworks	\$10,450.00	Fairmont Elementary
Wells Fargo Community Support Campaign	Special Administrative Account	\$200.00	Hanna Ranch Elementary
Wells Fargo Community Support Campaign	Material & Supplies	\$207.66	Madera Elementary
Wells Fargo Community Support Campaign	Material & Supplies	\$265.98	Ohlone Elementary
Wells Fargo Community Support Campaign	Material & Supplies	\$50.00	Stege Elementary
Wells Fargo Community Support Campaign	Material & Supplies	\$25.00	Stege Elementary
Washington PTA	Consultant- Yard Coach	\$5,000.00	Washington Elementary
Mr. Richard Loomis	Dell Computer Speakers	*\$20.00	Juan Crespi Middle
Kaiser Permanente Giving Campaign	Material & Supplies	\$60.00	Portola Middle
Kaiser Permanente Giving Campaign	Material & Supplies	\$200.00	Portola Middle
Wells Fargo Community Support Campaign	Material & Supplies	\$5.00	Hercules M/H
AT & T United Way	Material & Supplies	\$92.34	Hercules M/H
PG & E Corporation	Material & Supplies	\$499.00	Hercules M/H
Grosvenor (USA) Ltd-Corporate Admin	Forensics	\$500.00	Pinole Valley High
Mr. Robert Thompson	Material & Supplies	\$300.00	State Pre-School

*Estimated values for the non-cash donations are provided by the donor
 Donation Précis 041013

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

ITEM REQUIRING ATTENTION----BOARD OF EDUCATION

To: Board of Education

Meeting Date: April 10, 2013

From: Sheri Gamba 
Associate Superintendent Business Services

Agenda Item: CI C.3

Subject: Approval of Fund-Raising Activities

Background Information: The planned fund-raising events for the 2012-13 school year are summarized on the attached sheet dated April 10, 2013.

Recommendation: Recommend Approval

Fiscal Impact: Additional revenue for schools

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____ Seconded by: _____

Approved _____ Not Approved _____ Tabled _____

APPROVAL OF FUND-RAISERS

<u>School</u>	<u>Fund-Raising Activity</u>	<u>Activity Sponsor</u>
Mira Vista Elementary	Dinner at Zaki Kabob House	Mira Vista PTA
Ohlone Elementary	Writing Persuasive Letters to Local Businesses Asking \$5-\$10 for Science Equipment	Fifth Grade Class of Ohlone
Middle College High	Open Gym Basketball Fundraiser	MCHS Class of 2014

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

ITEM REQUIRING ATTENTION----BOARD OF EDUCATION

To: Board of Education

Meeting Date: April 10, 2013

From: Sheri Gamba *SG*
Associate Superintendent Business Services

Agenda Item: CI C.4

Subject: Contracted Services

Background Information: Permission is requested of the Board of Education to approve the following contracts for services as detailed on the attached sheets dated April 10, 2013.

Recommendation: Recommend Approval

Fiscal Impact: As noted per contracts summary

DISPOSITION BY BOARD OF EDUCATION		
Motion by: _____	Seconded by: _____	
Approved _____	Not Approved _____	Tabled _____

CONTRACTED SERVICES

The following professional consultant services are recommended for approval.

<u>DEPARTMENT</u>	<u>DATE OF SERVICE</u>	<u>CONSULTANT NAME</u>	<u>COST & FUNDING</u>	<u>PURPOSE</u>
Curriculum-Federal Project	2/1/13 Thru 6/30/13	Bay Area Community Resources R40752	\$36,560 S3 Grant	Increase existing \$100,000 contract to continue programming to address the need to have a safe school climate through the development of one-on-one and group support. Topics to include: Bullying, healthy relationships, Substance use, Mental Health Services, After School programming and youth development programs. S3 coordinator, Mental Health Services Coordinator and Youth Development Outreach Worker will be responsible for oversight and implementation of S3 grant activities and programs at Hercules High School.
Business Services	4/10/13 Thru 6/30/13	Atkinson, Andelson, Loya, Rudd and Romo R41642	\$50,000 Legal Services	Increase existing \$250,000 contract to cover additional employment related legal services for the 2012/13 school year.
Business Services	4/10/13 Thru 6/30/13	Fagan Friedman Fulfrost R41643	\$100,000 General Fund/Special Ed	Increase existing \$100,000 contract to provide additional legal advice and services relating to but not limited to Special Education matters for the 2012/13 school year.
Business Services	5/1/13 Thru 6/30/14	Crowe Horwath R41792	\$71,500 Audit	Contract for professional services to conduct an annual independent financial and compliance audit of the district for year ending 6/30/14 as required by education code: 53000.

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

ITEM REQUIRING ATTENTION----BOARD OF EDUCATION

To: Board of Education

Meeting Date: April 10, 2013

From: Sheri Gamba
Associate Superintendent Business Services

Agenda Item: CI C.5

Subject: Notice of Completions: Bid 1471390-01 Peres Dental Clinic, Bid J068150 Dover Elementary School Increment 2 New School, Bid 1121341-04 Coronado Elementary School Demolition, Bid J068288 Kennedy High School ADA Upgrades, and Bid 1261612-00 Lupine Hills Elementary School Shade Structure.

Background Information:

Substantial completion notices has been received for: Bid 1471390-01, Bid J068150, Bid 1121341-04, Bid J068288, and Bid 1261612-00.

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 contractors:

R.L. Ziegenbein Construction, Inc., Bid 1471390-01 Peres Dental Clinic
Alten Construction, Inc., Bid J068150 Dover Increment 2 New School
Wreck Age Demolition, Inc., Bid 1121341-04 Coronado Demolition
CF Contracting, Bid J068288 Kennedy ADA Upgrades
USA Shade & Fabric Structures. Inc., Bid 1261612-00 Lupine Hills Shade Structure

Recommendation: Recommend approval of these notices of completion.

Fiscal Impact: None.

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____ Seconded by: _____

Approved _____ Not Approved _____ Tabled _____

RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO
NAME WEST CONTRA COSTA
UNIFIED SCHOOL DISTRICT
STREET
ADDRESS 1108 BISSELL AVENUE
CITY &
STATE RICHMOND, CALIF 94801

SPACE ABOVE THIS LINE FOR RECORDER'S USE

NOTICE OF COMPLETION

Notice pursuant to Civil Code Section 3093, must be filed within 10 days after completion. The completion of work is deemed to be the date of such acceptance by the Governing Board of the District (civil code 3086)

Notice is hereby given that:

1. The undersigned is owner of the property hereinafter described:
2. The full name of the owner is: Governing Board, West Contra Costa Unified School District.
3. The full address of the owner is: 1108 Bissell Avenue, Richmond, Calif. 94801.
4. A work of improvement on the property hereinafter described was completed and accepted on April 10, 2013.
5. The work done was: Project 1471390-01 Peres Elementary School Dental Clinic.
6. The name and address of the contractor for such work of improvement was R.L. Ziegenbein Construction, Inc. 441Oakshire Pl., Alamo, CA 94507 Date of Contract: April 4, 2012
7. The name of the Bonding Company that provided Surety for said contractor relative to work to be performed is: Developers Surety and Indemnity Company
8. The property on which said work of improvement was completed is located within the West Contra Costa Unified School District, County of Contra Costa, State of California, and is described and located as follows: Peres Elementary School 719 5th Street Richmond, CA 94801.

Dated: April 10, 2013

Director, General Services
West Contra Costa USD

VERIFICATION

I, the undersigned, say: I am the Director, General Services the declarant of the foregoing notice of completion; I have read said notice of completion and know the contents thereof; the same is true of my own knowledge.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on April 10, 2013, at Richmond, California.

Director, General Services
West Contra Costa USD

RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO
NAME WEST CONTRA COSTA
UNIFIED SCHOOL DISTRICT
STREET
ADDRESS 1108 BISSELL AVENUE
CITY &
STATE RICHMOND, CALIF 94801

SPACE ABOVE THIS LINE FOR RECORDER'S USE

NOTICE OF COMPLETION

Notice pursuant to Civil Code Section 3093, must be filed within 10 days after completion. The completion of work is deemed to be the date of such acceptance by the Governing Board of the District (civil code 3086)

Notice is hereby given that:

1. The undersigned is owner of the property hereinafter described:
2. The full name of the owner is: Governing Board, West Contra Costa Unified School District.
3. The full address of the owner is: 1108 Bissell Avenue, Richmond, Calif. 94801.
4. A work of improvement on the property hereinafter described was completed and accepted on April 10, 2013.
5. The work done was: Project J068150 Dover Elementary School Increment 2 New School.
6. The name and address of the contractor for such work of improvement was Alten Construction, Inc. 720-12th Street Richmond, CA 94801 Date of Contract: May 6, 2009
7. The name of the Bonding Company that provided Surety for said contractor relative to work to be performed is: Fidelity and Deposit Company
8. The property on which said work of improvement was completed is located within the West Contra Costa Unified School District, County of Contra Costa, State of California, and is described and located as follows: Dover Elementary School 1870-19th Street San Pablo, CA 94806.

Dated: April 10, 2013

Director, General Services
West Contra Costa USD

VERIFICATION

I, the undersigned, say: I am the Director, General Services the declarant of the foregoing notice of completion; I have read said notice of completion and know the contents thereof; the same is true of my own knowledge.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on April 10, 2013, at Richmond, California.

Director, General Services
West Contra Costa USD

RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO
NAME WEST CONTRA COSTA
UNIFIED SCHOOL DISTRICT
STREET
ADDRESS 1108 BISSELL AVENUE
CITY &
STATE RICHMOND, CALIF 94801

SPACE ABOVE THIS LINE FOR RECORDER'S USE

NOTICE OF COMPLETION

Notice pursuant to Civil Code Section 3093, must be filed within 10 days after completion. The completion of work is deemed to be the date of such acceptance by the Governing Board of the District (civil code 3086)

Notice is hereby given that:

1. The undersigned is owner of the property hereinafter described:
2. The full name of the owner is: Governing Board, West Contra Costa Unified School District.
3. The full address of the owner is: 1108 Bissell Avenue, Richmond, Calif. 94801.
4. A work of improvement on the property hereinafter described was completed and accepted on April 10, 2013.
5. The work done was: Project 1121341-04 Coronado Elementary School Demolition.
6. The name and address of the contractor for such work of improvement was Wreck Age Demolition, Inc. 3965 Coast Oak Circle, Chino Hills, CA 91709 Date of Contract: October 30, 2012.
7. The name of the Bonding Company that provided Surety for said contractor relative to work to be performed is: Contractors Bonding and Insurance Company
8. The property on which said work of improvement was completed is located within the West Contra Costa Unified School District, County of Contra Costa, State of California, and is described and located as follows: Coronado Elementary School 4301 Berk Avenue, Richmond, CA 94804.

Dated: April 10, 2013

Director, General Services
West Contra Costa USD

VERIFICATION

I, the undersigned, say: I am the Director, General Services the declarant of the foregoing notice of completion; I have read said notice of completion and know the contents thereof; the same is true of my own knowledge.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on April 10, 2013, at Richmond, California.

Director, General Services
West Contra Costa USD

RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO
NAME WEST CONTRA COSTA
UNIFIED SCHOOL DISTRICT
STREET
ADDRESS 1108 BISSELL AVENUE
CITY &
STATE RICHMOND, CALIF 94801

SPACE ABOVE THIS LINE FOR RECORDER'S USE

NOTICE OF COMPLETION

Notice pursuant to Civil Code Section 3093, must be filed within 10 days after completion. The completion of work is deemed to be the date of such acceptance by the Governing Board of the District (civil code 3086)

Notice is hereby given that:

1. The undersigned is owner of the property hereinafter described:
2. The full name of the owner is: Governing Board, West Contra Costa Unified School District.
3. The full address of the owner is: 1108 Bissell Avenue, Richmond, Calif. 94801.
4. A work of improvement on the property hereinafter described was completed and accepted on April 10, 2013.
5. The work done was: Project J068288 Kennedy High School ADA Upgrades.
6. The name and address of the contractor for such work of improvement was CF Contracting 96 Forrest Avenue, Fairfax, CA 94930 Date of Contract: July 13, 2011.
7. The name of the Bonding Company that provided Surety for said contractor relative to work to be performed is: North American Specialty Insurance Company
8. The property on which said work of improvement was completed is located within the West Contra Costa Unified School District, County of Contra Costa, State of California, and is described and located as follows: Kennedy High School 4300 Cutting Blvd. Richmond, CA 94804.

Dated: April 10, 2013

Director, General Services
West Contra Costa USD

VERIFICATION

I, the undersigned, say: I am the Director, General Services the declarant of the foregoing notice of completion; I have read said notice of completion and know the contents thereof; the same is true of my own knowledge.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on April 10, 2013, at Richmond, California.

Director, General Services
West Contra Costa USD

RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO
NAME WEST CONTRA COSTA
UNIFIED SCHOOL DISTRICT
STREET
ADDRESS 1108 BISSELL AVENUE
CITY &
STATE RICHMOND, CALIF 94801

SPACE ABOVE THIS LINE FOR RECORDER'S USE

NOTICE OF COMPLETION

Notice pursuant to Civil Code Section 3093, must be filed within 10 days after completion. The completion of work is deemed to be the date of such acceptance by the Governing Board of the District (civil code 3086)

Notice is hereby given that:

1. The undersigned is owner of the property hereinafter described:
2. The full name of the owner is: Governing Board, West Contra Costa Unified School District.
3. The full address of the owner is: 1108 Bissell Avenue, Richmond, Calif. 94801.
4. A work of improvement on the property hereinafter described was completed and accepted on April 10, 2013.
5. The work done was: Project 1261312-00 Lupine Hills Elementary School Shade Structure.
6. The name and address of the contractor for such work of improvement was USA Shade & Fabric Structures, Inc. PO Box 560168, Dallas, TX 75356 Date of Contract: June 25, 2012.
7. The name of the Bonding Company that provided Surety for said contractor relative to work to be performed is: N/A
8. The property on which said work of improvement was completed is located within the West Contra Costa Unified School District, County of Contra Costa, State of California, and is described and located as follows: Lupine Hills Elementary School 1919 Lupine Road Hercules, CA 94547.

Dated: April 10, 2013

Director, General Services
West Contra Costa USD

VERIFICATION

I, the undersigned, say: I am the Director, General Services the declarant of the foregoing notice of completion; I have read said notice of completion and know the contents thereof; the same is true of my own knowledge.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on April 10, 2013, at Richmond, California.

Director, General Services
West Contra Costa USD

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

ITEM REQUIRING ATTENTION----BOARD OF EDUCATION

To: Board of Education

Date: April 10, 2013

From: Sheri Gamba 
Associate Superintendent Business Services

Agenda Item: CI C.6

Subject: CalPERS Retiree Health Care Resolutions – for those retiring prior to January 2007
Resolution #75-1213 – Unrepresented Management
Resolution #76-1213– Public Employees Union (Local One)
Resolution #77-1213 – School Supervisors Association (SSA)
Resolution #78-1213 – West Contra Costa Administrators’ Association (WCCAA)
Resolution #79-1213 – Unrepresented Confidential
Resolution #80-1213 – United Teachers of Richmond (UTR)

Background Information:

Each year, since adopting CalPERS as the District’s health benefits provider, the Board has been required to adopt resolutions acknowledging rates and contributions. Employees who retired prior to January 1, 2007 were offered “a fully paid HMO plan”. Historically, the District has used the Blue Shield rate as its “fully paid HMO standard” because it has always been the most expensive HMO health plan while the Kaiser premiums have always been the less expensive (*and still is for most coverage types*).

Beginning January 2013, the Kaiser Medicare plan *now* has a higher monthly premium rate than the Blue Shield Medicare plan. The difference is \$27.05 for single; \$54.10 for 2 party; and \$81.15 for family. CalPERS automatically set up a monthly deduction for this difference and it has been deducted from the retirees checks.

In order to remedy the situation the District must provide a new board approved resolution to CalPERS that will reset the amounts to be paid by the District so that the Kaiser Medicare HMO premium is fully covered. CalPERS has indicated it will take approximately two months to implement the change, so by June 1, 2013 we expect that the correction will be made.

In the meantime, to address the deduction that has been taken from the retirees checks, the District will be processing a refund.

Recommendation: Recommend approval

Fiscal Impact: None – Retiree benefits already budgeted

DISPOSITION BY BOARD OF EDUCATION		
Motion by: _____	Seconded by: _____	
Approved _____	Not Approved _____	Tabled _____

Resolution# 75-1213
RESOLUTION FIXING THE EMPLOYER'S CONTRIBUTION UNDER SECTION 22895
OF THE PUBLIC EMPLOYEES' MEDICAL AND HOSPITAL CARE ACT
(Unrepresented Management-Fully Paid HMO)

WHEREAS, (1) Government Code Section 22892(a) provides that a school employer contracting under the Public Employees' Medical and Hospital Care Act shall fix the amount of the employer's contribution at an amount not less than the amount required under Section 22892(b) of the Act, and

WHEREAS, (2) West Contra Costa Unified School District is a School Employer contracting under the Act; for participation by members of the (100) Management Unrepresented now, therefore be it

RESOLVED, (a) That the employer's contribution for each annuitant shall be the amount necessary to pay the cost of his/her enrollment, including the enrollment of his/her family members, in a health benefit plan, up to a maximum of :

	BASIC	
Party Rate 1	Employee only	\$ 784.63
Party Rate 2	Employee & 1 dependent	\$ 1,569.26
Party Rate 3	Employee & 2+ dependents	\$ 2,040.04
	SUPPLEMENTAL	
Party Rate 4	Employee only	\$ 288.37
Party Rate 5	Employee & 1 dependent	\$ 576.74
Party Rate 6	Employee & 2+ dependents	\$ 865.11
	COMBINATION (Basic & Supplemental)	
Party Rate 7	Employee (S) & 1 dependent (B)	\$ 1,045.95
Party Rate 8	Employee (S) & 2+ dependents (B)	\$ 1,516.73
Party Rate 9	Employee with 1 dep (S) & 1+ deps (B)	\$ 993.42
Party Rate 10	Employee (B) & 1 dependent (S)	\$ 1,045.95
Party Rate 11	Employee (B) & 2+ dependents (S)	\$ 1,307.27
Party Rate 12	Employee with 1 dep (B) & 1+ deps (S)	\$ 1,516.73

per month plus administrative fees and Contingency Reserve Fund assessments; and be it further

RESOLVED, (b) That West Contra Costa Unified School District has fully complied with any and all applicable provisions of Government Code Section 7507 in electing the benefits set forth above.

Adopted at a regular/special meeting of the West Contra Costa Unified School District in Richmond, CA this 10th day of April 2013.

Signed: _____

(President, Chairman, etc.)

Attest: _____

(Secretary or appropriate officer)

Resolution# 76-1213
RESOLUTION FIXING THE EMPLOYER'S CONTRIBUTION UNDER SECTION 22895
OF THE PUBLIC EMPLOYEES' MEDICAL AND HOSPITAL CARE ACT
(Public Employees Union-Local One-Fully Paid HMO)

WHEREAS, (1) Government Code Section 22892(a) provides that a school employer contracting under the Public Employees' Medical and Hospital Care Act shall fix the amount of the employer's contribution at an amount not less than the amount required under Section 22892(b) of the Act, and

WHEREAS, (2) West Contra Costa Unified School District is a School Employer contracting under the Act; for participation by members of the (200) Public Employees Union, Local 1 now, therefore be it

RESOLVED, (a) That the employer's contribution for each annuitant shall be the amount necessary to pay the cost of his/her enrollment, including the enrollment of his/her family members, in a health benefit plan, up to a maximum of :

	BASIC	
Party Rate 1	Employee only	\$ 784.63
Party Rate 2	Employee & 1 dependent	\$ 1,569.26
Party Rate 3	Employee & 2+ dependents	\$ 2,040.04
	SUPPLEMENTAL	
Party Rate 4	Employee only	\$ 288.37
Party Rate 5	Employee & 1 dependent	\$ 576.74
Party Rate 6	Employee & 2+ dependents	\$ 865.11
	COMBINATION (Basic & Supplemental)	
Party Rate 7	Employee (S) & 1 dependent (B)	\$ 1,045.95
Party Rate 8	Employee (S) & 2+ dependents (B)	\$ 1,516.73
Party Rate 9	Employee with 1 dep (S) & 1+ deps (B)	\$ 993.42
Party Rate 10	Employee (B) & 1 dependent (S)	\$ 1,045.95
Party Rate 11	Employee (B) & 2+ dependents (S)	\$ 1,307.27
Party Rate 12	Employee with 1 dep (B) & 1+ deps (S)	\$ 1,516.73

per month plus administrative fees and Contingency Reserve Fund assessments; and be it further

RESOLVED, (b) That West Contra Costa Unified School District has fully complied with any and all applicable provisions of Government Code Section 7507 in electing the benefits set forth above.

Adopted at a regular/special meeting of the West Contra Costa Unified School District in Richmond, CA this 10th day of April 2013.

Signed:

(President, Chairman, etc.)

Attest:

(Secretary or appropriate officer)

Resolution # 77-1213
RESOLUTION FIXING THE EMPLOYER'S CONTRIBUTION UNDER SECTION 22895
OF THE PUBLIC EMPLOYEES' MEDICAL AND HOSPITAL CARE ACT
(School Supervisors Association-Fully Paid HMO)

WHEREAS, (1) Government Code Section 22892(a) provides that a school employer contracting under the Public Employees' Medical and Hospital Care Act shall fix the amount of the employer's contribution at an amount not less than the amount required under Section 22892(b) of the Act, and

WHEREAS, (2) West Contra Costa Unified School District is a School Employer contracting under the Act; for participation by members of the (400) School Supervisors Association now, therefore be it

RESOLVED, (a) That the employer's contribution for each annuitant shall be the amount necessary to pay the cost of his/her enrollment, including the enrollment of his/her family members, in a health benefit plan, up to a maximum of :

	BASIC	
Party Rate 1	Employee only	\$ 784.63
Party Rate 2	Employee & 1 dependent	\$ 1,569.26
Party Rate 3	Employee & 2+ dependents	\$ 2,040.04
	SUPPLEMENTAL	
Party Rate 4	Employee only	\$ 288.37
Party Rate 5	Employee & 1 dependent	\$ 576.74
Party Rate 6	Employee & 2+ dependents	\$ 865.11
	COMBINATION (Basic & Supplemental)	
Party Rate 7	Employee (S) & 1 dependent (B)	\$ 1,045.95
Party Rate 8	Employee (S) & 2+ dependents (B)	\$ 1,516.73
Party Rate 9	Employee with 1 dep (S) & 1+ deps (B)	\$ 993.42
Party Rate 10	Employee (B) & 1 dependent (S)	\$ 1,045.95
Party Rate 11	Employee (B) & 2+ dependents (S)	\$ 1,307.27
Party Rate 12	Employee with 1 dep (B) & 1+ deps (S)	\$ 1,516.73

per month plus administrative fees and Contingency Reserve Fund assessments; and be it further

RESOLVED, (b) That West Contra Costa Unified School District has fully complied with any and all applicable provisions of Government Code Section 7507 in electing the benefits set forth above.

Adopted at a regular/special meeting of the West Contra Costa Unified School District in Richmond, CA this 10th day of April 2013.

Signed: _____
(President, Chairman, etc.)

Attest: _____
(Secretary or appropriate officer)

Resolution #78-1213

**RESOLUTION FIXING THE EMPLOYER'S CONTRIBUTION UNDER SECTION 22895
OF THE PUBLIC EMPLOYEES' MEDICAL AND HOSPITAL CARE ACT
(West Contra Costa Administrators' Association-Fully Paid HMO)**

WHEREAS, (1) Government Code Section 22892(a) provides that a school employer contracting under the Public Employees' Medical and Hospital Care Act shall fix the amount of the employer's contribution at an amount not less than the amount required under Section 22892(b) of the Act, and

WHEREAS, (2) West Contra Costa Unified School District is a School Employer contracting under the Act; for participation by members of the (500) West Contra Costa Administrators' Association now, therefore be it

RESOLVED, (a) That the employer's contribution for each annuitant shall be the amount necessary to pay the cost of his/her enrollment, including the enrollment of his/her family members, in a health benefit plan, up to a maximum of :

	BASIC	
Party Rate 1	Employee only	\$ 784.63
Party Rate 2	Employee & 1 dependent	\$ 1,569.26
Party Rate 3	Employee & 2+ dependents	\$ 2,040.04
	SUPPLEMENTAL	
Party Rate 4	Employee only	\$ 288.37
Party Rate 5	Employee & 1 dependent	\$ 576.74
Party Rate 6	Employee & 2+ dependents	\$ 865.11
	COMBINATION (Basic & Supplemental)	
Party Rate 7	Employee (S) & 1 dependent (B)	\$ 1,045.95
Party Rate 8	Employee (S) & 2+ dependents (B)	\$ 1,516.73
Party Rate 9	Employee with 1 dep (S) & 1+ deps (B)	\$ 993.42
Party Rate 10	Employee (B) & 1 dependent (S)	\$ 1,045.95
Party Rate 11	Employee (B) & 2+ dependents (S)	\$ 1,307.27
Party Rate 12	Employee with 1 dep (B) & 1+ deps (S)	\$ 1,516.73

per month plus administrative fees and Contingency Reserve Fund assessments; and be it further

RESOLVED, (b) That West Contra Costa Unified School District has fully complied with any and all applicable provisions of Government Code Section 7507 in electing the benefits set forth above.

Adopted at a regular/special meeting of the West Contra Costa Unified School District in Richmond, CA this 10th day of April 2013.

Signed: _____
(President, Chairman, etc.)

Attest: _____
(Secretary or appropriate officer)

Resolution # 79-1213
RESOLUTION FIXING THE EMPLOYER'S CONTRIBUTION UNDER SECTION 22895
OF THE PUBLIC EMPLOYEES' MEDICAL AND HOSPITAL CARE ACT
(Unrepresented Confidential-Fully Paid HMO)

WHEREAS, (1) Government Code Section 22892(a) provides that a school employer contracting under the Public Employees' Medical and Hospital Care Act shall fix the amount of the employer's contribution at an amount not less than the amount required under Section 22892(b) of the Act, and

WHEREAS, (2) West Contra Costa Unified School District is a School Employer contracting under the Act; for participation by members of the (600) Confidential now, therefore be it

RESOLVED, (a) That the employer's contribution for each annuitant shall be the amount necessary to pay the cost of his/her enrollment, including the enrollment of his/her family members, in a health benefit plan, up to a maximum of :

	BASIC	
Party Rate 1	Employee only	\$ 784.63
Party Rate 2	Employee & 1 dependent	\$ 1,569.26
Party Rate 3	Employee & 2+ dependents	\$ 2,040.04
	SUPPLEMENTAL	
Party Rate 4	Employee only	\$ 288.37
Party Rate 5	Employee & 1 dependent	\$ 576.74
Party Rate 6	Employee & 2+ dependents	\$ 865.11
	COMBINATION (Basic & Supplemental)	
Party Rate 7	Employee (S) & 1 dependent (B)	\$ 1,045.95
Party Rate 8	Employee (S) & 2+ dependents (B)	\$ 1,516.73
Party Rate 9	Employee with 1 dep (S) & 1+ deps (B)	\$ 993.42
Party Rate 10	Employee (B) & 1 dependent (S)	\$ 1,045.95
Party Rate 11	Employee (B) & 2+ dependents (S)	\$ 1,307.27
Party Rate 12	Employee with 1 dep (B) & 1+ deps (S)	\$ 1,516.73

per month plus administrative fees and Contingency Reserve Fund assessments; and be it further

RESOLVED, (b) That West Contra Costa Unified School District has fully complied with any and all applicable provisions of Government Code Section 7507 in electing the benefits set forth above.

Adopted at a regular/special meeting of the West Contra Costa Unified School District in Richmond, CA this 10th day of April 2013.

Signed: _____
(President, Chairman, etc.)

Attest: _____
(Secretary or appropriate officer)

Resolution # 80-1213
RESOLUTION FIXING THE EMPLOYER'S CONTRIBUTION UNDER SECTION 22895
OF THE PUBLIC EMPLOYEES' MEDICAL AND HOSPITAL CARE ACT
(United Teachers of Richmond-Fully Paid HMO)

WHEREAS, (1) Government Code Section 22892(a) provides that a school employer contracting under the Public Employees' Medical and Hospital Care Act shall fix the amount of the employer's contribution at an amount not less than the amount required under Section 22892(b) of the Act, and

WHEREAS, (2) West Contra Costa Unified School District is a School Employer contracting under the Act; for participation by members of the (300) United Teachers of Richmond now, therefore be it

RESOLVED, (a) That the employer's contribution for each annuitant shall be the amount necessary to pay the cost of his/her enrollment, including the enrollment of his/her family members, in a health benefit plan, up to a maximum of :

	BASIC	
Party Rate 1	Employee only	\$ 784.63
Party Rate 2	Employee & 1 dependent	\$ 1,569.26
Party Rate 3	Employee & 2+ dependents	\$ 2,040.04
	SUPPLEMENTAL	
Party Rate 4	Employee only	\$ 288.37
Party Rate 5	Employee & 1 dependent	\$ 576.74
Party Rate 6	Employee & 2+ dependents	\$ 865.11
	COMBINATION (Basic & Supplemental)	
Party Rate 7	Employee (S) & 1 dependent (B)	\$ 1,045.95
Party Rate 8	Employee (S) & 2+ dependents (B)	\$ 1,516.73
Party Rate 9	Employee with 1 dep (S) & 1+ deps (B)	\$ 993.42
Party Rate 10	Employee (B) & 1 dependent (S)	\$ 1,045.95
Party Rate 11	Employee (B) & 2+ dependents (S)	\$ 1,307.27
Party Rate 12	Employee with 1 dep (B) & 1+ deps (S)	\$ 1,516.73

per month plus administrative fees and Contingency Reserve Fund assessments; and be it further

RESOLVED, (b) That West Contra Costa Unified School District has fully complied with any and all applicable provisions of Government Code Section 7507 in electing the benefits set forth above.

Adopted at a regular/special meeting of the West Contra Costa Unified School District in Richmond, CA this 10th day of April 2013.

Signed: _____
(President, Chairman, etc.)

Attest: _____
(Secretary or appropriate officer)

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

ITEM REQUIRING ATTENTION----BOARD OF EDUCATION

To: Board of Education

Meeting Date: April 10, 2013

From: Sheri Gamba *SG*
Associate Superintendent Business Services

Agenda Item: CI C.7

Subject: First Reading: BP 7214.4 Investor Relations and BP 7214.3 Bond Refunding

Background Information:

As the District's Bond Finance Program has developed the Board Member representatives on the Facility Sub Committee expressed an interest in developing Board Policies for Investor Relations and Bond Refunding standards and parameters. The Facility Sub Committee had an opportunity to review these policies at their April 9th meeting. Tonight, a representative from GCR will be present to answer any questions the Board may have regarding these policies. After the first reading and input from the Board the final policies will be presented for adoption.

Recommendation: Review new Board Policies which will then be recommended for adoption at the April 24, 2013 Board meeting.

Fiscal Impact: None

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____ Seconded by: _____

Approved _____ Not Approved _____ Tabled _____

West Contra Costa USD

Board Policy

Investor Relations Policy

BP 7214.4

Facilities

INTRODUCTION

The West Contra Costa School District (the "District") shall, in connection with its outstanding indebtedness, comply with all federal securities disclosure laws and strive to maintain good investor relations through the timely dissemination of material financial and operating information.

The District shall endeavor to maintain a positive relationship with the investment community. The District's investor relations policy shall provide for (i) the orderly dissemination of material information to the marketplace and (ii) establish a means for responding to requests for information from investors.

POLICY

It is the policy of the Board of Education (the "Board") that the following will apply to investor relations and communications:

1. The District shall engage in full and open disclosure when disseminating information to the marketplace and when responding to questions from the marketplace.
2. The District shall encourage and maintain good relations with investors and credit rating agencies.
3. A rating agency presentation/update shall be conducted with each bond transaction or at least semi-annually.
4. To insure the orderly dissemination of information, the Associate Superintendent, Business Services shall be designated as the person responsible for making statements for the District (the "District Spokesperson") which are expected to reach investors and rating agencies. During the course of any investor communication the District Spokesperson shall adhere only to the facts and not engage in speculation on any District matters.
5. The designation of the Associate Superintendent, Business Services as the District Spokesperson shall be made known generally to the financial press, analysts, rating agency personnel and any person likely to act as a conduit between the District and investors.
6. The Associate Superintendent, Business Services may, at the direction of the Superintendent, engage in investor outreach from time to time between bond transactions.
7. Investor discussions/meetings conducted in connection with any particular Bond transaction shall be limited only to the information contained in the Preliminary Official Statement prepared in connection with the sale of said Bonds.

8. Between bond transactions the Associate Superintendent, Business Services shall limit investor discussions to (i) general information which is publicly available and (ii) information prepared in the normal course of business, i.e., financial statements, 1st and 2nd Interim, budgets; etc.
9. During any investor outreach meetings, the Associate Superintendent, Business Services shall make an affirmative statement that the discussion is to provide general financial and operating information only and is not an offer to sell or the solicitation of an offer to buy the District's Bonds, and that the information discussed is subject to change without notice.
10. To avoid "selective disclosure" to any particular investor or to a limited, small group of investors, the Board shall have a policy of simultaneous dissemination of the same information. The Board shall ensure simultaneous dissemination by establishing an investor information section on the District's website and posting the following information thereon:
 - Three years of audited financial statements.
 - Three years of annual operating budgets.
 - Official Statements for debt issued during the previous ~~five~~ three calendar years.
 - The most recently released underlying credit ratings reports from Moody's, Standard and Poor's and Fitch Ratings.
 - Three years of Annual Disclosure Reports filed with the Electronic Municipal Market Access ("EMMA") site maintained by the Municipal Securities Rulemaking Board ("MSRB").

The District shall post the following documents on EMMA subsequent to their acceptance or approval by the Board

- Budget;
 - First Interim Report;
 - Second Interim Report;
 - Unaudited Actuals; and
 - Audited Financial Statements
11. It shall be the policy of the Board that in the event investors contact District personnel or Board Members, they shall be directed to speak or correspond only with the Associate Superintendent, Business Services for consistent dissemination of information. The Associate Superintendent, Business Services shall adhere to the facts. If the facts are not clear, the response shall be "no comment at this time."

Regulation
approved:

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

West Contra Costa USD

Board Policy

Refunding Policy

BP 7214.3

Facilities

The West Contra Costa School District (the "District") desires to: (i) identify policy objectives relating to refunding transactions, (ii) improve the quality of the decision making processes and (iii) provide a basis for the determination of when it is advantageous for the District to issue refunding bonds. This Refunding and Restructuring Policy (the "Policy") of the Board of Education (the "Board"), establishes criteria for the refunding or restructuring of the District's outstanding general obligation bonds (the "Bonds"). The District's Superintendent or designee shall consider the criteria established in this Policy before making a recommendation to the Board to pursue a refunding transaction.

REFUNDING OBJECTIVES

The primary objective of proceeding with a refunding shall be to benefit the District by:

1. Providing net present value debt service savings, and/or
2. To aid with tax rate management, and/or
3. Adjusting the debt service structure to meet identified objectives (such as to maintain tax rates).

MINIMUM GUIDELINES

The District shall, with the assistance of its financial advisor and other District financial professionals, annually review outstanding Bonds and develop a strategy to identify and initiate refundings when economically feasible and advantageous. The annual review and strategic bond debt service plan shall be provided as a Board report each October. The annual review shall provide an issue by issue analysis and shall make a recommendation regarding the circumstances under which a refunding would be advantageous on a maturity by maturity basis.

The District may consider financing structures for refunding transactions that meet the following guidelines:

1. Refunding or restructuring issues should lower the cost of outstanding debt by generating net present value savings. The net present value savings threshold shall be calculated net of all issuance fees and using net debt service savings approach, which takes into consideration arbitrage rebate requirements.
2. It shall be the policy of the Board that a minimum of 3% net present value savings should be achieved for current refundings.
3. It shall be the policy of the Board that a minimum of 4% net present value savings should be achieved for advance refundings. Negative arbitrage shall not exceed present value savings. Prudent analysis should be performed to insure that the proceeds of the advance refunding bonds held in the escrow fund are not invested at a yield that exceeds the yield on the advance refunding bonds.

4. The final maturity of the refunding bonds should be no longer than the final maturity on the refunded bonds.
5. Refunding issues should be structured to achieve level annual debt service savings or to level out overall debt service or to maintain tax rates.
6. Refunding issues should generate a minimum of \$1 million total net present value savings and a minimum of \$100,000 of savings on an annual basis.
7. Refunding issues shall, if possible, be combined with a new money issuance.
8. Refunding issues may be utilized so that the tax rate levied for general obligation bonds does not exceed the tax rate promised to the voters.

TYPES OF REFUNDINGS

This Policy applies only to current and advance refunding and restructuring transactions.

REFUNDINGS – A procedure whereby an issuer refinances outstanding bonds by issuing new bonds to reduce the issuer’s interest costs or to remove a burdensome or restrictive covenant imposed by the terms of the bonds being refinanced. The proceeds of the new bonds are either deposited in an escrow fund to pay the debt service on the outstanding bonds when due (“advance refunding,” as described below) or used to promptly retire the outstanding bonds (“current refunding,” as described below).

CURRENT REFUNDING – A refunding transaction where the bonds being refunded will mature or be redeemed within 90 days or less after the issuance of the refunding bonds.

ADVANCE REFUNDING – A refunding transaction where the bonds being refunded remain outstanding for more than 90 days after the issuance of the refunding bonds. The proceeds of the advance refunding bonds are deposited into an escrow fund and invested in treasury securities with principal and interest from these investments being used to pay principal and interest on the refunded bonds and any call premium. Proceeds of an advance refunding held in an escrow fund shall not be invested with treasury securities with a yield greater than the yield on the refunding bonds.

RELATED DEFINITIONS

Aggregate Present Value Savings

The present value savings in each year of the refunding transaction added together.

Net Debt Service Savings Approach

A method to calculate refunding savings that accounts for the difference in interest earnings of the debt service reserve funds of the refunded and refunding bonds.

Net Present Value Savings

A method of calculating the aggregate amount of savings on a refunding transaction taking into consideration the time value of money and net of all issuance fees.

Present Value Savings

In each semi-annual period, the present value of the debt service on the refunding bonds is subtracted from the present value of the debt service on the refunded bonds using the arbitrage yield on the refunding bonds as the discount rate.

Regulation
approved:

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

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: April 10, 2013

From: Kenneth L. Whittemore,
Assistant Superintendent Human Resources

Agenda Item: CI C.8

Subject: Certificated Board Authorization - Education Code 44258.3

Background Information:

Ed Code 44258.3 allows the Governing Board of a school district to authorize the holder of a multiple subject, standard elementary, single subject or standard secondary, credential with his or her consent, to teach departmental classes in grades K-12 provided the teacher has adequate knowledge of subject matter.

Recommendation: Recommend Approval

Fiscal Impact: None

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____

Seconded by: _____

Approved _____

Not Approved _____

Tabled _____

April 10, 2013

Waivers

SITE

ASSIGNMENT

Definition: Variable term waivers provide applicants with additional time to complete the requirements for the credential that authorizes the service or provide employing agencies with time to fill the assignment with an individual who either holds an appropriate credential or qualifies under one of the assignment options. (Assignment pending fingerprint clearance when applicable)

Consent

Name

Leonor Tolentino

Site

Pinole Middle School

Assignment

Read 180

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:** April 10, 2013
From: Kenneth Whittemore, **Agenda Item:** CI C.9
Assistant Superintendent Human Resources
Subject: Certificated Provisional Internship Permit (PIP) Request(s)

Background Information: The Provisional Internship Permit (PIP) was created in response to the phasing out of emergency permits and became effective on July 1, 2005. It allows an employing agency to hire an individual who has not yet met the subject matter competence requirement needed to enter an internship program. Prior to requesting a PIP, the employing agency must verify that a diligent search has been made, and a fully credentialed teacher cannot be found. The PIP is issued for one (1) year and is renewable one time only provided the teacher has taken all appropriate subject matter examinations, but has not yet passed those tests.

Recommendation: Recommend Approval

Fiscal Impact: None

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____ Seconded by: _____
Approved _____ Not Approved _____ Tabled _____

April 10, 2013

Action Taken

PIP

Name

Lauren Childs

SITE

El Cerrito High School

ASSIGNMENT

Art

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:** April 10, 2013
From: Wendell C. Greer **Agenda Item:** CI C.10
Associate Superintendent, K – Adult Operations
Subject: California State Athletic Directors Association State Conference

Background Information:

This is the 45th CSADA State Conference that the District Athletic Director and three other Athletic Directors will be attending for four days. The conference will be covering topics on safety, liability, current issues in sports, rules and compliance, competitive discipline, legal issues, management of games, strategies, etc.

Recommendation: Recommend Approval

Fiscal Impact: \$3,500.00 Athletic Funds

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: April 10, 2013

From: Wendell C. Greer
Associate Superintendent, K – Adult Operations

Agenda Item: CI C.11

Subject: Middle College Students attending Student Leadership Conference April 13-17, 2013

Background Information:

Five students from Middle College High School will be attending the 20th annual Middle College National Consortium's Student Leadership Initiative. The Student Leadership Initiative is a unique program that develops and promotes student voice within the community. Each year, selected students from MCNC schools across the nation engage in an eight-month project arising from environmental or social justice issue. Students use social media to discuss and build programs that educate and engage their schools and communities in focused social action. This year's theme is what makes a Healthy Community?

Recommendation: Recommend Approval

Fiscal Impact: \$5,000.00 Chevron Donations, \$1,000.00 Title I Funds

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:** April 10, 2013
From: Wendell Greer **Agenda Item:** CI C.12
Associate Superintendent, K-Adult Operations
Subject: Middle School Physical Education Waiver

Background Information:

Board Policy 6142.7 provides the parameters for the statutorily required instruction in physical education. Statute and policy both allow a high school student who has met the criteria for fitness from the Physical Fitness Test to have a portion of the physical education requirement to be waived.

At the March 27, 2013 special meeting about the Portola feeder pattern schools, the Board heard a report from District Physical coordinator Darrin Zaragoza regarding the modifications in practices that would allow middle school students to access a wavier similar to that allowed in high school. The Middle School PE Exemptions/Waivers would be allowed if the following criteria are met:

- The student's parent / guardian consents to the exemption; and
- The student has met satisfactorily any five of six standards of the physical performance test administered in grade seven pursuant (the FITNESSGRAM®). A student has satisfactorily met the standards of the FITNESSGRAM® if the student performs within the Healthy Fitness Zone (HFZ) on tests in five of the six areas.

Other existing P.E. exemptions / waivers at the middle school such as for illness would continue.

Recommendation:

That the Board allow P.E. waivers beginning with the 2013-14 school year at the middle schools with the conditions cited above.

Fiscal Impact: Unknown depending on the number of students who are granted the waiver and require an additional elective class.

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:** April 10, 2013
From: Bill Fay **Agenda Item:** CI C.13
Associate Superintendent for Operations
Subject: Ratification and Approval of Engineering Services Contracts

Background Information:

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 as noted.

Fiscal Impact: Total for this action: \$358,072. Funding sources Measure J Bond and Measure D-2010 Bond.

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____ Seconded by: _____

Approved _____ Not Approved _____ Tabled _____

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
FACILITIES PLANNING AND CONSTRUCTION**

ENGINEERING & ARCHITECTURAL SERVICES CONTRACTS

Project/Funding	Dates	Firm	Contract Cost	Reference
Collins Elementary School Restrooms Renovation Project Measure D-2010 Bond (PID: 1101612-06)	April 2013 through May 2013	AE3 Partners	\$3,960	Additional architectural design services.
Olinda Elementary School Miscellaneous Repairs Project Measure D-2010 Bond (PID: 1451612-13)	April 2013 through May 2013	AE3 Partners	\$4,950	Additional architectural design services.
Shannon Miscellaneous Repairs Project Measure D-2010 Bond (PID:1541612-13)	April 2013 through May 2013	AE3 Partners	\$2,640	Additional architectural design services.
Verde Elementary School Traffic & Parking Improvements Project Measure D-2010 Bond (PID: 16210028-00)	April 2013 through June 2013	Clark Civil Engineering	\$14,100	Civil Engineering services.
Program Wide Standards Measure D-2010 Bond	April 2013 through June 2013	Grossman Design Group	\$22,350	Waterproofing design services for prototypical details.
Kensington Elementary School Restrooms Renovation Project Measure J Bond (PID: 1301223-17)	March 2013 through September 2013	W.J. Robinson & Associates, Inc.	\$18,750	Construction Management Services.
Portola MS @ Castro ES Replacement Campus Project Measure J Bond (PID: 2141103-06)	March 2013 through March 2016	Omtrak	\$22,144	Consulting services to create digital turnover and warranty information.

April 10, 2013

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
FACILITIES PLANNING AND CONSTRUCTION**

ENGINEERING & ARCHITECTURAL SERVICES CONTRACTS

Dover ES New Security Cameras, Building A Measure J Bond (PID: 1151201-03)	March 2013 through April 2013	HY Architects, Inc.	\$7,791	Architectural design services.
Portola Middle School Demolition Project Measure D-2010 Bond (PID: 3581366-05)	February 2013 through March 2013	RGA Environmental, Inc.	\$13,675	Geotechnical soil sampling and Reporting.
Helms Middle School Fields Project Measure D-2010 Bond (PID: 2101101-09)	February 2013 through June 2013	RGA Environmental, Inc.	Not to Exceed \$8,000	Coordination and communication with DTSC related to soils at project site.
Riverside Elementary School Caltrans Overpass Measure E-2012 Bond (PID:15010037-00)	March 2013 through June 2013	Sally Swanson Architects, Inc.	\$25,000	Analysis of Caltran's overpass location in relation to Riverside ES.
Peres Elementary School Modernization Measure D-2010 Bond (PID: 1471390-00)	February 2013	Alan Kropp & Associates, Inc.	\$1,418	Geotechnical services.
Nystrom Elementary School Demolition and Abatement Project Measure J Bond (PID: 1141205-11)	March 2013 through September 2013	Interactive Resources	Not to Exceed \$50,000	Construction Administration Services.
Richmond High School New Construction Buildings A, B & C Measure D-2010 Bond (PID: 1171223-12)	December 2012 through March 2013	Enovity, Inc.	\$93,740	CHPS Commissioning services for Bldg A, B & C.

April 10, 2013

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
FACILITIES PLANNING AND CONSTRUCTION**

ENGINEERING & ARCHITECTURAL SERVICES CONTRACTS

De Anza High School Replacement Campus Project Measure (PID: 3521208-02)	April 2013 through May 2013	DLM	\$8,500	Additional design services for temporary parking area.
Richmond High School New Construction Buildings A, B & C Measure D-2010 (PID: 3641380-08)	April 2013 through June 2013	Baker Vilar Architects	\$9,554	Additional architectural services to develop scope in Area 500.
Lake Elementary School Fire Alarm Project Measure D-2010 (PID: 1341612-04)	March 2013	Hamilton + Aitken Architects	\$5,800	Additional design services for deferred capital project.
Grant Elementary School Fire Alarm Project Measure D-2010 (PID: 1251612-04)	March 2013	Hamilton + Aitken Architects	\$5,800	Additional design services for deferred capital project.
Coronado Elementary School Replacement Campus Measure D-2010 (PID: 1121341-00)	March 2013 through April 2013	Applied Water Resources	\$26,000	Soil and Ground water sampling and analysis.
Valley View Elementary School Replacement Campus Measure D-2010 (PID: 1601382-03)	March 2013 through April 2013	Kleinfelder	\$600	Geotechnical investigations and Geo hazards report.
Ellerhorst Elementary School Re-Roof Project Measure J Bond (PID: 1171223-12)	March 2013	Grossman Design Group	\$5,800	Additional construction administration services.
Program Wide Standards Measure D-2010 Bond	April 2013 through June 2013	Grossman Design Group	\$7,500	Develop list of preferred materials for Roofing Systems.

West Contra Costa Unified School District
1108 Bissell Avenue
Richmond, California 94801-3135
Office of Superintendent of Schools

ITEM REQUIRING ATTENTION --- BOARD OF EDUCATION

To: Board of Education **Meeting Date:** April 10, 2013
From: Bill Fay **Agenda Item:** CI C.14
Associate Superintendent for Operations
Subject: Ratification and Approval of Negotiated Change Orders

Background information:

Staff is seeking ratification of Change Orders on the following current District construction projects: Richmond HS Emergency Lighting; Peres ES Modernization; Ohlone ES Phase I New Classroom Bldg.; Kennedy HS Quad Landscape Upgrades; Vista HS Portable Tech Labs Civil Work; and Dover ES Increment 2. 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 addition to normal ratification, approval of the noted Change Orders for the Kennedy HS Quad Landscape Upgrades and Vista HS Portable Tech Labs Civil Work projects is required by the Board, with special findings as noted below, because this project is in excess of the Public Contract Code limit of 10% of the original contract value. 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: **\$151,020.79**

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____ Seconded by: _____

Approved _____ Not Approved _____ Tabled _____

April 10, 2013 Change Order Ratification Summary

	Project	Company	Original Contract	Previously Approved CO's	Items Pending Board Action		Total CO's	CO Percent of Original Contract	Adjusted New Contract	Change Order Numbers
					CO's Pending Ratification	CO's Pending Approval				
1	Richmond HS - Emergency Lighting	ERA Construction	\$285,000.00	\$0.00	\$20,677.35	\$0.00	\$20,677.35	7.26%	\$305,677.35	1
2	Peres ES - Modernization	Cal-Pacific Construction	\$1,493,000.00	\$0.00	\$131,993.24	\$0.00	\$131,993.24	8.84%	\$1,624,993.24	1 - 7
3	Ohlone ES - Phase I New Classroom Bldg	Zovich Construction	\$16,961,000.00	\$794,433.49	\$24,712.00	\$0.00	\$819,145.49	4.83%	\$17,780,145.49	50 - 55
4	Kennedy HS - Quad Landscape Upgrades	CF Contracting	\$982,800.00	\$152,222.53	\$0.00	(\$39,824.80)	\$112,397.73	11.44%	\$1,095,197.73	19 - 21
5	Vista HS - Portable Tech Labs Civil Work	American Asphalt	\$84,490.00	\$0.00	\$8,449.00	\$12,061.00	\$20,510.00	24.28%	\$105,000.00	1
6	Dover ES - Increment 2	Alten Construction	\$21,491,000.00	\$1,091,558.50	(\$7,047.00)	\$0.00	\$1,084,511.50	5.05%	\$22,575,511.50	29, 30

Pending Board Actions	Ratifications	\$178,784.59
	Approvals	(\$27,763.80)
	Total Board Action	\$151,020.79

Note: the proposed Board Action is to Ratify all Change Orders below ten percent (10%) of the Contract Value; the change order amounts pending Board Approval is the portion of the Change Order(s) above 10%.

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: April 10, 2013

From: Bill Fay
Associate Superintendent for Operations

Agenda Item: CI C.15

Subject: Annual Financial Audit of District Bond Program

Background Information:

Crowe Horwath LLP has completed the 2011- 2012 independent financial bond audit. The financial bond audit report was presented to the Citizen Bond Oversight Committee at their meeting on March 27, 2013. The Financial Bond Audit report may be viewed on the WCCUSD website and at the District Office, located at 1108 Bissell Avenue, Richmond, CA.

Recommendation:

Accept the financial bond audit report, for the year ending June 30, 2012.

Fiscal Impact: None

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: April 10, 2013

From: Bill Fay
Associate Superintendent for Operations

Agenda Item: CI C.16

Subject: Annual Proposition 39 Performance Audit of the District Bond Program

Background Information:

The District is required to complete a Proposition 39 annual independent performance audit of the bond program. Total School Solutions has completed the 2011 - 2012 independent the annual performance bond audit. The performance bond audit report was presented to the Citizen Bond Oversight Committee at their meeting on March 27, 2013. The Performance Bond Audit report may be viewed on the WCCUSD website and at the District Office, located at 1108 Bissell Avenue, Richmond, CA.

Recommendation:

Accept the performance bond audit report, for the year ending June 30, 2012.

Fiscal Impact: None

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:** April 10, 2013
From: Bill Fay **Agenda Item:** CI C.17
Associate Superintendent for Operations
Subject: Citizens' Bond Oversight Committee (CBOC) Appointment: Norma Martinez-Rubin appointed by Supervisor Glover

Background Information:

Supervisor Glover has forwarded a recommendation that Norma Martinez-Rubin be the County District V appointee on the West Contra Costa Unified School District Citizens Bond Oversight Committee.

Recommendation: Approve appointment as noted.

Fiscal Impact: None

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____ Seconded by: _____

Approved _____ Not Approved _____ Tabled _____



Federal D. Glover

Supervisor, District Five
Contra Costa County, Board of Supervisors

dist5@bos.cccounty.us
www.cccounty.us/supervisorglover

March 13, 2013

District V Includes

Antioch (North)
Hercules
Martinez
Pinole (North)
Pittsburg

Mr. Bill Fay
Associate Superintendent
West Contra Costa Unified School District
1108 Bissell Avenue
Richmond, CA 94801-3135

Re: Citizens Bond Oversight Committee Appointment

Dear Mr. Fay:

This is to inform you that I am pleased to have selected Norma Martinez-Rubin as the County District V appointee on the West Contra Costa Unified School District Citizens Bond Oversight Committee.

Alhambra Valley
Bay Point

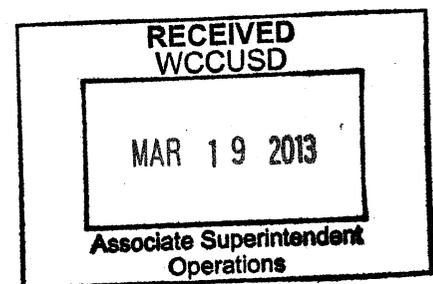
I am sure that Norma Martinez-Rubin will continue to be an active member of the community and I believe she will continue to be a positive committee member.

Thank you for considering my recommendation and please do not hesitate to contact me at (925) 427-8138.

Sincerely,

Federal D. Glover
Supervisor, District V

FDG/vgm
cc: Norma Martinez-Rubin



315 E. Leland Road
Pittsburg, CA 94565
Phone: (925) 427-8138
Fax: (925) 427-8142

651 Pine Street
Martinez, CA 94553
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WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
1108 Bissell Avenue
Richmond, California 94801-3135
Office of Superintendent of Schools

ITEM REQUIRING ATTENTION --- BOARD OF EDUCATION

To: Board of Education **Meeting Date:** April 10, 2013
From: Bill Fay **Agenda Item:** CI C.18
Associate Superintendent for Operations
Subject: Resolution No. 82-1213: District Policy and Procedures for Determination of Non-Responsibility and Debarment of Contractors

Background information:

The California Public Contract Code requires the District to award contracts only to the "lowest responsible bidder." (Public Contract Code §§ 20111(a) & (b)) A "responsible bidder" is one that has "demonstrated the attribute of trustworthiness, as well as quality, fitness, capacity, and experience to satisfactorily perform the public works contract." (Public Contract Code section 1103).

The award of contracts to contractors who fail to deal with the District in good faith compromises the integrity of the contracting process and results in the improper expenditure of public funds. Debarment is discretionary action that, taken in accordance with the procedures set forth in the District's Policy and Procedures for Determination of Non-Responsibility and Debarment of Contractors ("Debarment Procedures"), is designed to protect the District by ensuring full and open competition by having contractual relationships only with responsible persons.

The District's Debarment Procedures are designed to accomplish the following:

- Comply with Public Contract Code sections 1103 and 20111;
- Implement Board Policy ("BP") 3311 and Administrative Regulation ("AR") 3311 to ensure that District contracts are let to responsible bidders;
- Set forth the grounds for debarment; and
- Set forth procedures for appeal of decision to debar.

Recommendation: Approve Resolution No. 82-1213

Fiscal Impact: To Be Determined.

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____ Seconded by: _____

Approved _____ Not Approved _____ Tabled _____

West Contra Costa Unified School District

RESOLUTION NO. 82-1213

RESOLUTION OF THE GOVERNING BOARD OF WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT APPROVING POLICY AND PROCEDURES FOR DETERMINATION OF NON-RESPONSIBILITY AND DEBARMENT OF CONTRACTORS

WHEREAS, the West Contra Costa Unified School District (“District”) is engaged in a district-wide capital outlay program to renovate, repair, modernize and construct new facilities in order to create suitable educational facilities for all of the students and staff of the District; and

WHEREAS, the California Public Contract Code Section 20111(a) & (b), requires the District to award contracts only to the “lowest responsible bidder;” and

WHEREAS, a “responsible bidder” is one that has “demonstrated the attribute of trustworthiness, as well as quality, fitness, capacity, and experience to satisfactorily perform the public works contract.” (Public Contract Code section 1103); and

WHEREAS, the District’s award of contracts to contractors who fail to deal with the District in good faith compromises the integrity of the contracting process and results in the improper expenditure of public funds; and

WHEREAS, debarment is a discretionary action that, taken in accordance with the District’s Policy and Procedures for Determination of Non-Responsibility and Debarment of Contractors (“Debarment Procedures”), is designed to protect the District by ensuring full and open competition by having contractual relationships only with responsible persons; and

WHEREAS, the Debarment Procedures establish an administrative process to disqualify or “debar” contractors for a range of offenses; and

WHEREAS, the Debarment Procedures provide a comprehensive and uniform policy and procedures governing the debarment process and provide for the creation of a debarred contractor list; and

WHEREAS, the District staff and the Facilities Sub-committee of the Board of Education have reviewed the Debarment Procedures and determined that the Debarment Procedures are designed to accomplish the following:

- Comply with Public Contract Code sections 1103 and 20111;
- Implement Board Policy (“BP”) 3311 and Administrative Regulation (“AR”) 3311 to ensure that District contracts are let to responsible bidders;
- Set forth the grounds for debarment; and
- Set forth procedures for appeal of decision to debar.

NOW THEREFORE, the Governing Board of the West Contra Costa Unified School District hereby resolves, determines, and finds the following:

1. That the foregoing recitals are true.
2. That it would be beneficial to the District to have a uniform policy and procedure prescribing the policies and procedures governing the debarment of contractors.
3. That the Debarment Procedures protect the District by ensuring full and open competition by having contractual relationships only with responsible persons.

4. That the Debarment Procedures are in the best interest of the District and its construction program.
5. That the District's Superintendent, or the Superintendent's designee, is authorized pursuant to this Resolution to take any action that is necessary to complete the procedures necessary to carry out, give effect to, and comply with the terms and intent of this Resolution.
6. This Resolution shall take effect upon its adoption.

PASSED AND ADOPTED by the Governing Board of the West Contra Costa Unified School District, this ____ day of _____, 2013, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____, President, Board of Education

_____, Clerk, Board of Education

Exhibit "A"

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT Policy and Procedures for Determination of Non-Responsibility and Debarment of Contractors

The California Public Contract Code requires the District to award contracts only to the "lowest responsible bidder." (Public Contract Code §§ 20111(a) & (b)) A "responsible bidder" is one that has "demonstrated the attribute of trustworthiness, as well as quality, fitness, capacity, and experience to satisfactorily perform the public works contract." (Public Contract Code section 1103).

The award of contracts to contractors who fail to deal with the District in good faith compromises the integrity of the contracting process and results in the improper expenditure of public funds. Debarment is discretionary action that, taken in accordance with these procedures, is designed to protect the District by ensuring full and open competition by having contractual relationships only with responsible persons.

These debarment procedures ("Debarment Procedures") are designed to accomplish the following:

- Comply with Public Contract Code sections 1103 and 20111;
- Implement Board Policy ("BP") 3311 and Administrative Regulation ("AR") 3311 to ensure that District contracts are let to responsible bidders;
- Set forth the grounds for debarment; and
- Set forth procedures for appeal of decision to debar.

Article 1. Definitions

The following definitions shall apply to these Debarment Procedures:

- 1.1. Affiliate.** Any individual person or business entity that is the assignee, successor, subsidiary of, or parent company of a contractor where such individual or business entity, directly or indirectly, controls or has power to control the other, or where a third person controls or has the power to control both. Affiliate also means a person or business entity that has the same or similar management of debarred contractor.
- 1.2. Charging Official(s).** Any District Director or person authorized to award or execute a contract on behalf of the District. All Charging Officials are authorized to act on behalf of the District in prosecuting any administrative debarment proceeding.
- 1.3. Contractor.** Any individual, person, or business entity who responds to (or that has previously responded to) an invitation for bids or request for proposals, who submits a qualification statement, proposal, bid or quote or who contracts with or otherwise seeks to contract with, directly or indirectly, with the District for the purpose of providing any goods or services to the District including without limitation any contractor, subcontractor, consultant, sub consultant or supplier at any tier. The term "Contractor" shall include any responsible managing employee or officer of a Contractor.
- 1.4. Debar or Debarment.** The disqualification of a Contractor from:
 - 1.4.1.** Bidding on a contract; or

- 1.4.2.** Submitting responses to District's requests for proposals or qualification; or
 - 1.4.3.** Being awarded a contract; or
 - 1.4.4.** Executing a contract; or
 - 1.4.5.** Participating in a contract as a subcontractor, material supplier, or employee of a prime contractor or another subcontractor for a period of time specified by the Hearing Officer; or
 - 1.4.6.** Directly or indirectly (e.g., through an affiliate) submitting offers for, or executing contracts or subcontracts with the District; or
 - 1.4.7.** Conducting business with, or reasonably may be expected to conduct business with, the District, as an employee, agent or representative of another person.
- 1.5. Hearing Officer.** The person that presides over a debarment proceeding takes evidence and makes the determination about debarment of a contractor. The Hearing Officer shall not work within the District department, or have direct supervision authority over the District department, in which the Charging Official works.
- 1.6. Notice of Proposed Debarment.** A written communication from the District Charging Official to the Contractor notifying the Contractor of the District's initiation of debarment proceedings against the Contractor.
- 1.7. Order of Debarment.** The final Order of Debarment issued by the Hearing Officer and approved or ratified by the District Board.
- 1.8. Preponderance of the Evidence.** The proof by information that, compared with that opposing it, leads to the conclusion that the fact at issue is more probably true than not.
- 1.9. Respondent.** Any individual, firm or entity which has been served a written Notice of Proposed Debarment pursuant to this District Procedure.

Article 2. Grounds for Debarment

- 2.1.** A final conviction, including a plea of nolo contendere, or final unappealable civil judgment of any one or more of the following grounds constitutes grounds for permanent debarment of the contractor who is subject to, or the affiliate of the contractor who is subject to, the criminal conviction, plea, or civil judgment:
- 2.1.1.** under any state or federal statute or municipal ordinance for embezzlement, theft fraudulent schemes and artifices, fraudulent schemes and practices, bid rigging, perjury, forgery, bribery, falsification or destruction of records, receiving stolen property or any offense indicating a lack of business integrity or business honesty which affects the contractor's or its affiliate responsibility; or
 - 2.1.2.** for commission of a criminal offense arising out of obtaining or attempting to obtain a public or private contract or subcontract, or in the performance of such contract or subcontract; or
 - 2.1.3.** for a conviction under federal or state antitrust statutes involving public contracts or the submission of offers or bid proposals.

- 2.2.** An Order of Debarment may be issued to any Contractor that the Hearing Officer, based on evidence presented, finds to have engaged in any recklessness, willful misconduct or other grounds defined below with respect to any District bid, request for qualifications, requests for proposals, purchase order or contract. Such recklessness, willful misconduct, or other grounds for debarment may include, but need not be limited to the following:
 - 2.2.1.** Submission of false information in response to an advertisement or invitation for bids or quotes, a request for qualifications or a request for proposals;
 - 2.2.2.** Failure to comply with the terms of a contract;
 - 2.2.3.** A pattern and practice of disregarding or repudiating terms or conditions of District contracts, including without limitation:
 - 2.2.3.1.** Repeated failures to provide and thereafter abide by a schedule for contract performance;
 - 2.2.3.2.** Repeated unexcused delays;
 - 2.2.3.3.** Repeated failure to timely pay subcontractors or suppliers as required by law and the Contract Documents;
 - 2.2.3.4.** Repeated practice of allowing stop notices, stop payment notices or other liens to be served upon the District as a result of the Contract;
 - 2.2.3.5.** Generating or causing unnecessary and disruptive claims from subcontractors or suppliers;
 - 2.2.4.** Failure to provide required valid performance bond(s) and/or payment bond(s);
 - 2.2.5.** Repeated failure to provide efficient project supervision;
 - 2.2.6.** Repeated failures to correct and manage poor performance of Contractor's subcontractor(s) and/or sub consultant(s);
 - 2.2.7.** Repeated poor performance;
 - 2.2.8.** Repeated failures to follow directions of District staff, architects, project inspectors, or other persons or entities with recognized authority over a District project.
- 2.3.** Failure to abide by rules or regulations adopted by the District;
- 2.4.** Submission of false claims as defined by California law or federal law;
- 2.5.** A finding that the Contractor has been found non-responsible or debarred from bidding by another California public entity;
- 2.6.** The Contractor performs, or fails to perform, a contract in such a way that environmental damage results or a violation of environmental laws or permits is committed;
- 2.7.** The Contractor has committed an act or omission of so serious and compelling a nature that:
 - 2.7.1.1.** It affects the present responsibility of the contractor to be awarded a contract or to participate as a subcontractor in a contract, or
 - 2.7.1.2.** It affects the integrity of the procurement process.

- 2.8. Imputation of Knowledge and Conduct.** The fraudulent, criminal or other seriously improper conduct of any officer, director, shareholder, partner, employee or other individual associate with Contractor, may be imputed to Contractor when the conduct occurred in connection with the individual's performance of duties for, or on behalf of, the Contractor, or with the Contractor's knowledge, approval, or acquiescence. The Contractor's acceptance of the benefits derived from the conduct shall be evidence of such knowledge, approval or acquiescence.

Article 3. Initiation of Debarment Proceedings

- 3.1.** A Charging Official of the District shall initiate a debarment proceeding by serving upon the Respondent a written Notice of Proposed Debarment by two (2) of the following methods:
- 3.1.1.** First class mail,
 - 3.1.2.** Certified mail return receipt requested, and
 - 3.1.3.** Facsimile transmission.
- 3.2.** Proof of delivery of notice may be made by the certificate of any officer or employee of the District or by declaration under penalty of perjury of any person over the age of eighteen (18) years. The proof of delivery shall show the delivery was done in conformity with these Debarment Procedures or other provisions of law applicable to the subject matter herein.
- 3.3.** The failure of Respondent to receive any notice served in accordance with this Article shall not affect the validity of any debarment proceedings.
- 3.4.** The Notice of Proposed Debarment shall state and include the following:
- 3.4.1.** That debarment is being considered;
 - 3.4.2.** The reasons for the proposed debarment;
 - 3.4.3.** The period of debarment and the proposed effective date;
 - 3.4.4.** That the debarment will not become effective until after a hearing if such hearing is requested within fourteen (14) calendar days following receipt of the notice;
 - 3.4.5.** A copy of these Debarment Procedures;
 - 3.4.6.** That the request for a hearing is to be submitted in the manner prescribed by these Debarment Procedures.
- 3.5.** If no hearing is requested within fourteen (14) calendar days following receipt of the Notice of Proposed Debarment, the action of the District set forth in the Notice of Proposed Debarment shall become the final decision without further notice to the Respondent.

Article 4. Respondent's Request for a Hearing

The Respondent may file a written request for a hearing before a Hearing Officer.

- 4.1.** The request shall be addressed to the Charging Official indicated in the Notice of Proposed Debarment and shall be accompanied by a concise statement admitting, denying or explaining each of the allegations set forth in the Notice of Proposed Debarment and stating the relief requested.

- 4.2.** The Respondent may also include any documentary evidence in support of the position taken in its request for a hearing.
- 4.3.** The Respondent shall submit four (4) copies of all documentary evidence provided.
- 4.4.** The request must be made within fourteen (14) calendar days following the Respondent's receipt of the District's Notice of Proposed Debarment.
- 4.5.** The request shall be delivered to the District by certified mail, return receipt requested.

Article 5. Establishment of Time and Place for Hearing

- 5.1.** The Hearing Officer shall issue an order granting the Respondent's request for a hearing, establishing the time and place thereof, and advising the Respondent of the consequences of a failure to appear at the hearing.
- 5.2.** The date of the hearing shall be held between forty-five (45) and sixty (60) calendar days of the date of the District's receipt of the Respondent's request for a hearing, unless an extension is mutually agreed upon.
- 5.3.** The Notice of Proposed Debarment and request for a hearing together with the reply, if any, shall become the pleadings in any proceeding in which the Hearing Officer orders a hearing to be held.

Article 6. District's Reply to Respondent's Request for Hearing and Documentary Evidence

Not less than seven (7) calendar days prior the scheduled hearing date, the District may submit a reply on behalf of the District.

Article 7. Service of Documents for the Record

- 7.1.** Service of documents, including the Notice of Proposed Debarment, shall be made by any reasonable means, including by first class mail, telecopy, e-mail, or delivery to:
 - 7.1.1.** the person to be served or that person's designated representative or agent, at the last known address;
 - 7.1.2.** the person's last known place of business; or
 - 7.1.3.** for a principal of the person, on the entity for which the person is a principal.
- 7.2.** The District shall cause copies of all documentary evidence and other documents to be served promptly on the Respondent and the Hearing Officer, no later than two (2) business days prior to the proceeding.
- 7.3.** The District and Respondent shall submit four (4) copies of all documents unless otherwise ordered by the Hearing Officer. One copy shall be signed as the original.
- 7.4.** The Hearing Office may require the District and Respondent to exchange at a prehearing conference, or at a time in advance of the hearing, all exhibits that each party intends to offer at the hearing.

7.4.1. The Hearing Officer may order the party providing the evidence to prepare an index of the documents it intends to provide at the hearing; as well as to submit some or all of the exhibits in advance of the hearing.

7.4.2. The party offering an exhibit at the hearing shall provide sufficient copies so that each party, the Hearing Officer and the witness have a copy.

7.5. Proof of service shall not be required unless the fact of service is denied under oath and put in issue by appropriate objection on the part of the person allegedly served. In such cases, service may be established by written receipt signed by or on behalf of the person to be served, or may be established prima facie by any responsible means, including, but not limited to, affidavit or certificate of service of mailing.

Article 8. Respondent's Failure to Appear at the Hearing

If the Respondent fails to appear at the hearing, the Hearing Officer shall receive the Charging Official's evidence and render a recommended decision to the District.

Article 9. Amendment of Documentary Evidence

9.1. A party may move to amend its documentary evidence at any time prior to the close of the hearing, provided that the amendment is reasonably within the scope of the proceeding, which the Hearing Office will determine.

9.2. The Hearing Officer may permit service of supplemental evidence setting forth transactions, occurrences, or events that have transpired since the date of the evidence sought to be supplemented and that are relevant to any of the issues involved.

Article 10. Continuances and Extensions

Continuances and extensions will not be granted by the Hearing Officer except for good cause shown.

Article 11. Hearings

Hearings shall be at a location designated by the Hearing Officer.

Article 12. Appearances

12.1. A Respondent may appear and be heard in person or by an attorney.

12.2. An attorney may represent the District.

12.3. When a Respondent is represented by an attorney, all documentary evidence and other papers subsequent to the Notice of Proposed Debarment shall be mailed to the Respondent's attorney.

Article 13. Conduct of the Hearing

The Hearing Officer shall have authority to:

- 13.1.** Examine witnesses;
- 13.2.** Rule upon offers of proof, admissibility of evidence, and matters of procedure;
- 13.3.** Order any pleading amended upon motion of a party at any time prior to the close of the hearing;
- 13.4.** Maintain discipline and decorum and exclude from the hearing any person acting in an indecorous manner, whose conduct disrupts the order of the proceedings;
- 13.5.** Require the filing of briefs or memorandum of law on any matter upon which the Hearing Officer is required to rule;
- 13.6.** Order prehearing conference(s) for the purpose of the settlement or simplification of issues by the District and Respondent ;
- 13.7.** Order the proceeding reopened at any time prior to his or her recommended decision for the receipt of additional evidence;
- 13.8.** Render a final recommended decision to the District; and
- 13.9.** Take any further action as may be necessary to properly preside over the debarment proceeding and render a recommended decision therein.

Article 14. Evidence

- 14.1.** Oral testimony shall be taken only on oath or affirmation.
- 14.2.** The District and Respondent shall have the right to:
 - 14.2.1.** Present evidence relevant to the issues;
 - 14.2.2.** Cross examine opposing witnesses on any matter relevant to the issues even though the matter was not covered in the direct examination;
 - 14.2.3.** Impeach any witness regardless of which party first called the witness to testify; and
 - 14.2.4.** Rebut the evidence against the party.
- 14.3.** Any party or person identified with a specific party may be called and examined as if under cross-examination by any adverse party.
- 14.4.** The hearing need not be conducted according to technical rules relating to evidence and witnesses. Any relevant evidence, including hearsay, shall be admitted if it is the sort of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rule which might make improper the admission of such evidence over objection in civil actions, provided however, hearsay evidence even though not objected to shall not be

sufficient in itself to support a finding unless it would be admissible over objection in civil actions. The rules of privilege shall be effective to the same extent that they are now or hereafter may be recognized in civil actions and irrelevant and unduly repetitious evidence shall be excluded.

14.5. The following additional exception to the “best evidence” rule (Evidence Code Section 1500) applies: A duplicate is admissible to the same extent as the original unless:

14.5.1. A genuine question is raised as to the authenticity of the original, or

14.5.2. In the circumstances it would be unfair to admit the duplicate in lieu of the original. “Duplicate” as used here means a counterpart, facsimile, email or other electronically-generated copy of the original produced by the same impression or from the same matrix as the original or by some technique of accurate reproduction.

14.6. The standard of proof for the Debarment Hearing shall be a preponderance of the evidence.

Article 15. Witness Fees

The District shall not pay fees and expenses for Respondent's witnesses.

Article 16. Transcript

Hearing shall be stenographically reported by a reporting officer hired by the District under the supervision of the Hearing Officer. The reporting officer shall be authorized to administer oaths.

Article 17. Decision

17.1. The Hearing Officer shall issue a final written decision by

17.1.1. First class mail,

17.1.2. Certified mail return receipt requested, and

17.1.3. Facsimile transmission.

17.2. Such decision shall include a summary of the evidence, findings, conclusions and reasons underlying the decision.

Article 18. Computation of Time

A designated period of time under these Debarment Procedures excludes the day the period begins, and includes the last day of the period unless the last day is a Saturday, Sunday or legal holiday, in which event the period runs until the close of business on the next business day.

Article 19. Official Record

The transcript of testimony together with all pleadings, orders, decision, exhibits, briefs, and other documents filed in the proceedings shall constitute the official record of the proceedings.

Article 20. Scope of Rules

These Debarment Procedures establishes procedures for determining whether a Contractor is to be debarred and the grounds for such debarment.

Article 21. Appealing an Order of Debarment

21.1 Any party may request review of the Hearing Officer's determination by filing a written appeal with the Board of Education within twenty-one (21) days of receipt of the Hearing Officer's final determination. The appeal shall specifically identify the issues and basis upon which the party seeks review and shall be served in accordance with Section 7.1 of these Debarment Procedures.

21.2 Parties opposing the appeal may submit a response opposing review. The response must be submitted to the Board of Education and served in accordance with Section 7.1 within fourteen (14) days of the receipt of the opposing party's appeal.

21.3 Any appeal may be granted or denied in the discretion of the Board of Education or its designee. The Board of Education or its designee shall issue a determination setting forth one of the following:

- 21.3.1** Affirming the final determination of the Hearing Officer;
- 21.3.2** Overturning the final determination of the Hearing Officer;
- 21.3.3** Directing a modification of the final determination, including, but not limited to, the scope or duration of any debarment; or
- 21.3.4** Referring the matter back to the Hearing Officer for additional investigation or findings.

21.4 The Board of Education or its designee shall issue a determination within thirty (30) days of submission of the appeal, unless notice is given to the Hearing Officer and the District and Respondent extending the period for submitting a determination. The Board of Education or its designee shall be limited to the factual record produced before the Hearing Officer upon review. The determination of the Board of Education or its designee need not be a formal written determination; rather, a letter served upon all parties in accordance with Section 7.1 setting forth the determination of the Hearing Officer is sufficient.

21.5 The submission of an appeal shall have no effect on the final determination of the Hearing Officer, unless and until the Board of Education or designee issues a determination pursuant to subsection (d) above modifying the Hearing Officer's decision.

21.6 The decision of the Board of Education shall be final. Following appeal to the Board of Education, Respondent may pursue judicial review, as provided for by statute.

Article 22. Creation of Debarred Contractors List

22.1. The District shall create and maintain a list of Contractors who have been debarred in accordance with these Debarment Procedures. The list shall include the name and address of all Contractors who have been debarred. For each debarred Contractor, the list shall state the date of the commencement and expiration of the debarment.

Article 23. Effect of Debarment

- 23.1.** Contractors who have been debarred are excluded from conducting business with the District on behalf of themselves or as agents or representatives of other persons for the duration of the debarment.
- 23.2.** The District shall not accept, receive, open a bid, evaluate for award, or include any proposals, quotations, bids, or offers from any debarred Contractor for the duration of the debarment.
- 23.3.** If the District determines that a person or entity is an Affiliate of a Contractor that is debarred, or proposed for debarment, the Affiliate is debarred to the same extent as the Contractor that is debarred or proposed for debarment.

Article 24. Liability for Increased Costs

- 24.1.** Any Contractor that enters into a contract with the District, either directly or indirectly as a prime contractor or indirectly as a subcontractor, during a period of debarment is imposed upon that Contractor shall be liable to the District for any increased costs incurred as a result of District replacing the debarred Contractor.

Article 25. Agreement Not to Bid in Lieu of Debarment

- 25.1.** The District may, but is not required to, offer a Contractor the opportunity to execute a written agreement not to bid for one year, in lieu of the District pursuing a one year debarment pursuant to these Debarment Procedures. By executing the agreement, the Contractor shall consent to waive a Debarment Hearing.

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:** April 10, 2013
From: Bill Fay **Agenda Item:** CI C.19
Associate Superintendent for Operations
Subject: Measure J and D 2010 and Measure E 2012 Program Budget Updates

Background Information:

The District needs to update the Bond Program Budget to accommodate updated anticipated project costs, based on recently received bids. The attached expenditure authorization worksheet includes these proposed adjustments.

Several current construction estimates were revised to reflect current standards and bidding environment for project budgets; therefore an ongoing reconciliation will be needed as projects are bid, closed out, and/or additional expenditures are incurred.

Staff can provide a brief presentation to the Board.

Recommendation: Approve Measure J and D 2010, Measure E 2012, Bond Program budget expenditure authorization.

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

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____ Seconded by: _____
Approved _____ Not Approved _____ Tabled _____

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
FACILITIES PLANNING CONSTRUCTION**

WCCUSD BOND PROGRAM 2013 BUDGET EXPENDITURE ADJUSTMENTS				
EXPENDITURE AUTHORIZATION WORKSHEET				
SOURCE	APPR'D EXPEND. AUTHORITY (February 6, 2013)	ADJUSTMENTS	EXPENDITURE AUTHORITY	REFERENCE
Downer ES Field	\$330,000	\$0	\$330,000	
Cameron ES	\$250,000	\$0	\$250,000	Architectural Planning Fees
Coronado ES*	\$32,000,000	\$0	\$32,000,000	
Dover ES	\$32,028,548	\$0	\$32,028,548	
Ford ES	\$29,750,000	\$0	\$29,750,000	Extended time, closeout, window shades
Fairmont ES*	\$33,877,605	\$0	\$33,877,605	
Highland ES*	\$34,500,000	\$0	\$34,500,000	
King ES	\$23,731,084	\$0	\$23,731,084	
Lake ES	\$500,000	\$0	\$500,000	Architectural Planning Fees
Mira Vista ES	\$100,000	\$0	\$100,000	ADA Compliance - Arch'l Fees Only
Montalvin Manor	\$4,000,000	\$0	\$4,000,000	
Nystrom ES*	\$32,481,474	\$0	\$32,481,474	
Ohlone ES*	\$33,231,437	\$0	\$33,231,437	
Olinda ES	\$500,000	\$0	\$500,000	Architectural Planning Fees
Peres ES Renovation	\$2,200,000	\$0	\$2,200,000	Dental Clinic, RRs, Modernizations
Peres ES Renovation - Phase II	\$1,000,000	\$0	\$1,000,000	Additional Modernizations
Riverside ES	\$250,000	\$0	\$250,000	Architectural Planning Fees
Shannon ES	\$500,000	\$0	\$500,000	Architectural Planning Fees
Stege ES	\$30,000,000	\$0	\$30,000,000	
Valley View ES*	\$34,066,383	\$0	\$34,066,383	
Wilson ES*	\$34,000,000	\$0	\$34,000,000	
Helms Middle	\$86,500,000	\$0	\$86,500,000	Fields project bid and soft costs
Pinole Middle*	\$52,198,359	\$0	\$52,198,359	
Portola Middle*	\$56,429,054	\$12,570,946	\$69,000,000	G.C. Bid, Full-time CA, Legal, EIR MMRP
Leadership + Gompers	\$76,515,983	\$0	\$76,515,983	Construction bid and soft costs
Richmond High School	\$11,482,248	\$0	\$11,482,248	Small projects, Closeout
Richmond High School	\$40,000,000	\$0	\$40,000,000	Health Center, Gym, CR/Library Bldgs.
Kennedy High School	\$13,598,556	\$0	\$13,598,556	Quads, ADA Closeout
Kennedy High School	\$5,000,000	\$0	\$5,000,000	Science Building
Kennedy High School	\$7,200,000	\$0	\$7,200,000	Swim Center
Kennedy High School	\$800,000	\$0	\$800,000	Measure D-2010 Projects
Hercules Middle School	\$12,000,000	\$0	\$12,000,000	Science Building
De Anza High School*	\$114,710,340	\$0	\$114,710,340	New School, Demolition, B10 & Field
El Cerrito High	\$125,000,000	\$0	\$125,000,000	Multi-purpose field change orders
ECHS Stadium*	\$7,000,000	\$0	\$7,000,000	
Pinole Valley High School*	\$180,000,000	\$0	\$180,000,000	Facilities Subcommittee Approval
Restroom Wall Projects	\$3,476,576	\$0	\$3,476,576	Adjustment due to addition of projects and increased construction costs
Waterproofing Projects	\$2,549,805	\$0	\$2,549,805	Ellerhorst, Harding, Lupine Hills
Deferred Capital Projects (Measure J)	\$2,342,234	\$0	\$2,342,234	Cnavez, Cameron, Highiana, Harara, Hanna Ranch, Transition, Lake, Murphy, Olinda, Peres, Shannon, Sheldon, Stege, Stewart, Tara Hills, Valley View, Vista, Crespi, LDJ, PVHS, Richmond HS
Deferred Capital Projects (Measure D-2010)	\$2,300,000	\$0	\$2,300,000	F.A. Projects, Health & Safety work
Furnishing/Equipment (Measure D)	\$4,952,897	\$0	\$4,952,897	Portola MS
Furnishings/Equipment (Measure J)	\$7,808,723	\$0	\$7,808,723	DAHS, KHS, Nystrom, Ohlone Remain
Furnishings/Equipment (Measure D-2010)	\$5,000,000	\$0	\$5,000,000	
Network Technology (Measure D)	\$5,124,777	\$0	\$5,124,777	Portola MS
Network Technology (Measure J)	\$7,800,000	\$0	\$7,800,000	Redistributed to Project Budgets
District Technology (Measure D-2010)	\$5,000,000	\$0	\$5,000,000	
Project Technology (Measure D-2010)	\$5,000,000	\$0	\$5,000,000	
District Technology (Measure E)	\$20,000,000	\$0	\$20,000,000	Common Core
Program Coordination (Measure J)	\$15,000,000	\$0	\$15,000,000	Program Coordination, Exhausted
Program Coordination (Measure D-2010)	\$15,000,000	\$0	\$15,000,000	District-wide program costs, legal
Program Contingency (Measure J)	\$0	\$0	\$0	Program Contingency, Exhaustec
Program Contingency (Measure D-2010)	\$6,000,000	\$0	\$6,000,000	
Program Contingency (Measure E)	\$6,000,000	\$0	\$6,000,000	
Measure M Modernization and New Construction Phase 1A	\$126,200,000	\$0	\$126,200,000	DSA Closeout costs
Measure M Modernization and New Construction Phase 1B	\$143,943,109	\$0	\$143,943,109	PO Close-Out
Additional Bond Funded Projects	\$22,903,011	\$0	\$22,903,011	Vista Hills DSA Closeout
Richmond College Prep	\$4,413,308	\$0	\$4,413,308	Project Closeout
Master Planning	\$107,500	\$0	\$107,500	Revised site survey
Additional Projects	\$624,932	\$0	\$624,932	Portable Projects, Closeout

* Current construction estimate exceeds approved project budget. Expenditure may require adjustment at a future date.

Disclaimer: The Expenditure Authority Worksheet does not represent the entire Bond Program budget. Its purpose is to maintain proper program budget management.

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

ITEM REQUIRING ATTENTION --- BOARD OF EDUCATION

To: Board of Education **Meeting Date:** April 10, 2013
From: Bill Fay **Agenda Item:** CI C.20
Associate Superintendent for Operations
Subject: Ratification of Staff Awarded Contract: Portola MS at Castro ES

Background information:

Hibser-Yamauchi Architects has prepared plans and specifications for the project. Scope of work includes selective demolition of the existing Castro Elementary School site, modernization of remaining buildings, construction of new buildings, including a new multi-purpose building, a new classroom building, and associated site improvements.

The District conducted a public bid process for the project. Bids were received on March 21, 2013. Six contractors submitted bids. They are as follows: Arntz Builders, Inc., \$42,942,000; Lathrop Construction Associates, Inc. \$43,793, 714; Alten Construction, Inc., \$44,123,022; Roebbelen Contracting, Inc., \$44,343,281; Wright Contracting, Inc., \$44,450,365; S.J. Amoroso Construction, Inc., \$44,977,000. The lowest apparent bidder is Arntz Builders, Inc.

In consideration of the need to complete the work expeditiously, the Board authorized award of a contract for the project to the lowest responsive, responsible bidder at the conclusion of the bid protest period.

Recommendation:

Ratify the award to Arntz Builders, Inc. \$42,942,000.

Fiscal Impact: \$42,942,000. Project will be funded from Measure D-2010.

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

To: Board of Education **Meeting Date:** April 10, 2013
From: Bill Fay **Agenda Item:** CI C.21
Associate Superintendent for Operations
Subject: Nystrom Elementary School Abatement and Selective Demolition Award of Contract

Background information:

Interactive Resources has prepared plans and specifications for the project. Scope of work includes the selective interior demolition within the 40,000 sf, two-story, wood school building, as well as the full demolition of three buildings on the site, including the existing kindergarten building, multi-purpose building, and boiler room building. Additionally, the existing elevator and tower structure will be demolished.

The District conducted a public bid process for the project. Bids were received on March 28, 2013. Two contractors submitted bids. They are as follows: Performance Abatement Services, \$977,766; Evans Brothers, Inc., \$1,762,085. The lowest apparent bidder is Performance Abatement Services.

Recommendation: Award contract to Performance Abatement Services.

Fiscal Impact: \$977,766 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

To: Board of Education **Meeting Date:** April 10, 2013
From: Bill Fay **Agenda Item:** CI C.22
Associate Superintendent of Operations
Subject: Williams Lawsuit Complaints Quarterly Report

Background Information:

The Williams Lawsuit requires that a quarterly report be brought before the Board of Education reflecting the number of complaints filed with any school in the district during a particular quarter. This report reflects the time period from January 1, 2013 through March 31, 2013.

Recommendation: For approval

Fiscal Impact: None

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____ Seconded by: _____

Approved _____ Not Approved _____ Tabled _____



Valenzuela/CAHSEE Lawsuit Settlement
Quarterly Report on Williams Uniform Complaints
 [Education Code 35186(d)]

District: West Contra Costa Unified School District

Person completing this form: Bill Fay

Title: Associate Superintendent

Quarterly Report Submission Date: *(check one)*

- April 30, 2013 (Jan-Mar 2013)
- July 31, 2013 (Apr-Jun 2013)
- October 31, 2013 (Jul-Sep 2013)
- January 31, 2014 (Oct-Dec 2013)

Date for information to be reported publicly at governing board meeting:
 Please check the box that applies:

- No complaints were filed with any school in the district during the quarter indicated above.
- Complaints were filed with schools in the district during the quarter indicated above. The following chart summarizes the nature and resolution of these complaints.

Area of Complaint	Total # of Complaints	# Resolved	# Unresolved
Textbooks and Instructional Materials	0	0	0
Teacher Vacancy or Misassignment	0	0	0
Facilities Conditions	0	0	0
TOTALS	0	0	0

 Dr. Bruce Harter

Print Name of District Superintendent

 Signature of District Superintendent

 Date

Please return completed form to Peggy Marshburn, Chief Communications Officer
 CCCOE – 77 Santa Barbara Rd. Pleasant Hill, CA 94523
 FAX: (925) 942-3454 E-MAIL: pmarshburn@cccoe.k12.ca.us

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: April 10, 2013

From: Bruce Harter
Superintendent

Agenda Item: CI C.23

Subject: Acceptance of Contra Costa County Office of Education 2nd Quarter Report for Williams Settlement Legislation

Background Information:

As a part by the compliance requirements for the Williams Settlement Legislation, the Contra Costa County Office of Education has submitted its second quarterly report for fiscal year 2012-2013. This report presents the result of review of the West Contra Costa Unified School District for the period of October, November, and December 2012.

Recommendation:

Recommend Acceptance of Report

Fiscal Impact:

None

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____

Seconded by: _____

Approved _____

Not Approved _____

Tabled _____

dh



February 20, 2013

Dr. Bruce Harter
 Superintendent
 West Contra Costa Unified School District
 1108 Bissell Avenue
 Richmond, CA 94801

Dear Dr. Harter:

Please extend to your governing board, administration and site staff my appreciation for their professionalism in addressing the compliance requirements for the Williams Settlement Legislation. I am pleased to provide, for submission to your governing board at a regularly scheduled meeting, the 2nd quarterly report for fiscal year 2012-2013 as required by *Education Code* section 1240(c)(2)(G) pursuant to the Williams Settlement. This report presents the results of my reviews of the West Contra Costa Unified School District for the period of **October, November, and December 2012.**

My findings were as follows:

Instructional Materials:

- No reviews were conducted during this quarter

School Facilities:

- No reviews were conducted during this quarter

School Accountability Report Card:

- No reviews were conducted during this quarter

Teacher Misassignments and Teacher Vacancies:

- Report issued by the COE Credentialing Office

	# of teachers on staff	Hold appropriate credentials	Certified to teach EL learners	20% classes EL Learner	# of teacher in process of obtaining EL	Misassign. corrected removal	Misassign. corrected applied for cred.	Missign. Corrected by Ed. Code	Vacancy	Uncorrected Misassignment
West Contra Costa										
Bayview	26	26	26	20	0	0	0	0	0	0
Chavez	26	26	26	22	0	0	0	0	0	0
Collins	24	24	24	8	0	0	0	0	0	0
Dover	28	28	28	22	0	0	0	0	0	0
Downer	27	27	27	21	0	0	0	0	0	0
Grant	23	23	23	20	0	0	0	0	0	0
Highland	24	24	24	17	0	0	1	0	0	0

King	20	20	20	16	0	0	0	0	0	0
Lake	16	16	16	13	0	0	0	0	0	0
Lincoln	18	18	18	14	0	0	0	0	0	0
Mira Vista	21	21	21	12	0	0	0	4	0	0
Nystrom	17	17	17	13	0	0	0	0	0	0
Peres	24	24	24	9	0	0	0	0	0	0
Shannon	15	15	15	9	0	0	0	0	0	0
Stege	13	13	13	5	0	0	0	0	0	0
Tara Hills	23	23	23	16	0	0	0	0	0	0
Verde	13	13	13	9	0	0	0	0	0	0
Wilson	22	22	22	16	0	0	0	0	0	0
Crespi	23	23	23	41	0	0	1	1	0	0
Helms	48	48	48	212	0	0	0	2	0	0
Lovonya DeJean	28	28	28	90	0	1	0	1	0	0
Pinole Junior High	28	28	28	49	0	0	0	3	0	0
Portola Junior High	23	23	23	34	0	0	0	0	0	0
DeAnza High	45	45	45	89	0	1	4	3	0	0
El Cerrito	54	54	54	49	0	0	0	2	0	0
Kennedy High	36	36	36	143	0	0	1	0	0	0
Leadership	20	20	20	18	0	0	0	0	0	0
Pinole Valley High	55	55	55	86	0	2	0	2	0	0
Richmond High	64	64	64	349	0	0	0	0	0	0

The law also requires that I receive quarterly reports on complaints filed with the school district concerning insufficient instructional materials, teacher vacancies and misassignments, and emergency or urgent facilities issues under the Uniform Complaint Procedure. While this data is not mandated to be a part of this report to you, it is included so that you and the citizens of our community will have a complete understanding of the environment in which the schools in the West Contra Costa Unified School District are functioning.

Uniform Complaints: *(Optional)*

- The Uniform Complaints Report for this quarter was due by January 31, 2013. No complaints were filed at this time.

If you have any questions about this report, please contact Peggy Marshburn, (925) 942-3420 or pmarshburn@cccoc.k12.ca.us.

Sincerely,



Joseph A. Ovick, Ed.D.
Superintendent of Schools

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: April 10, 2012

From: Nia Rashidchi
Assistant Superintendent Education Services

Agenda Item: D.1

Subject: Teacher of the Year/Ed. Fund Excellence in Education Award Winner Recognition

Background Information:

West Contra Costa Unified School District and the Ed Fund have once again combined the Teaching Excellence Awards process with the Teacher of the Year Awards process.

The names of this year's teachers being celebrated are: Nathan Jackson (DeJean), Beth Levine (Montalvin), Steve Mainini (Kennedy), Mike Mannix (Richmond High), and Eric Verpraukus (Lincoln).

These teachers of excellence share a profound passion for instilling a love of learning in our diverse students so that they can attain their goals and realize their dreams. By carefully and thoughtfully weaving creativity, adherence to high standards, profound knowledge of the subjects being taught, and appreciation of individual differences, needs, and strengths, these award winning teachers raise the quality of education to new heights.

We want to recognize and congratulate our honorees for all the wonderful work they carry out with our students on a daily basis.

Recommendation: Celebrate the winners

Fiscal Impact: None

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: April 10, 2012

From:  Wendell Greer
Associate Superintendent, K – Adult Education

Agenda Item: D.2

Subject: Report on King TECHS Club Program

Background Information:

The City of Richmond and West Contra Costa Unified School District have entered into an MOU for the purpose of establishing and maintaining an effective partnership to service Richmond youth through the Richmond Crime Prevention Training and Education in Community, Home and School (TECHS) club. The program encourages responsible behavior, good citizenship, personal safety and respect for other people's property. Objectives to achieve program goals are implemented through educational and recreational classroom activities, guest speakers, role playing, positive reinforcement and rewards. TECHS also presents each student who completes the program with a certificate of completion and educational gifts at King School's annual award ceremony in June. Staff will give a report.

Recommendation: Report only

Fiscal Impact: None

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

To: Board of Education

Meeting Date: April 10, 2013

From: Nia Rashidchi, Assistant Superintendent, Educational Services

Agenda Item: D.3

Subject: WCCUSD Common Core Standards Project Plan

Background Information: At its January 2013 retreat, the Board of Education nominated 2 board members: President Madeline Kronenberg and Todd Groves to form a Common Core Task Force that would work with WCCUSD stakeholders to create a project plan for the district's pathway to implementing the Common Core Standards.

Tonight's report will focus on the members of the Task Force, summarize the work that has been accomplished, as well as share the resulting Common Core Project Plan.

Recommendation: For Information Only

Fiscal Impact: None

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

To: Board of Education

Meeting Date: April 10, 2013

From: Sheri Gamba *SG*
Associate Superintendent Business Services

Agenda Item: D.4

Subject: Budget Update

Background Information: Associate Superintendent Business Services will provide an update on the budget.

Recommendation: For Information Only

Fiscal Impact: None

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: April 10, 2013

From: Bruce Harter

Agenda Item: E.2

Subject: Request to Address the Board on CALRTA Volunteer Hours

Background Information:

Ms. Elizabeth Underwood and Ms. Nancy Hendrickson will provide a report regarding volunteer hours contributed by CALRTA Division 58 members.

Recommendation: For Information Only

Fiscal Impact: None

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: April 10, 2013

From: Bruce Harter
Superintendent

Agenda Item: F.1

Subject: Scholar in Residence

Background Information:

At the special meeting regarding the Portola feeder schools on March 27, 2013, Board member Todd Groves proposed that the Board authorize a plan to create a "Scholar in Residence" program in the West Contra Costa Unified School District. Mr. Groves described the position as one that would change each year to allow the strengths of the scholar to align with the needs of the District. The scholar would provide support to teachers and schools in developing programs so that they reflect the best practices from research, enhance the professional learning communities in each of the schools and conduct a research project to increase self-awareness as well as the gap between proven practices and more typical but less effective instruction.

Recommendation:

That the Board authorize the Superintendent to design and implement a process for a Scholar in Residence for 2013-14.

Fiscal Impact: \$60,000 to \$100,000 for all costs of the program.

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____

Seconded by: _____

Approved _____

Not Approved _____

Tabled _____

WCCUSD Scholar-in-Residence (SIR) Pilot Program

Need:

Public education is in a dynamic state. Educators must make decisions based on data and research, yet little time is devoted to research analysis and evaluation in teacher and administrator preparation programs. Policymakers like school boards and school site councils may have no research backgrounds, yet to create policy, they must parse through published claims and counterclaims of arcane nature. Under enormous pressure to improve outcomes, districts grasp at solutions with apparent solid research bases, yet that may not fit the needs of their communities. Dictates like No Child Left Behind impose ham-handed, ill-fitting curricula and policies because the research showed that it worked some places, some times. Without an institutional capacity to critically read, evaluate, consume or engage in research, districts serving the most vulnerable students will face constant buffeting from the latest ivory tower fads that attract legislative eyes.

Research most relevant to districts elucidates local issues, possibilities and self-knowledge. Unlike education researchers, foundations and other reformers, a district has no need to find a “scalable national model,” “inflexion,” or “proof point” for validation. Long after wealthy dilettantes, doctoral candidates and text book developers move onto the next sexy thing, we will still be raising our community’s children. We must develop capacity to research ourselves in service to our children alone, not the many masters driving current education policy and practice.

WCCUSD has some of the smartest, most dedicated teachers imaginable. A SIR will discover this quickly and help us build from this position of strength by identifying our most effective practices. By engaging with teachers, administrators and the board, the SIR will infuse our district’s professional learning community with vivid understanding of educational trends’ potentials and limitations. The SIR will support teacher groups, school sites and district staff in developing new programming and research. By conducting a research project while in residence, the SIR will build WCCUSD’s self-understanding and impart to us the latest research techniques. The SIR should develop a vibrant professional growth program for WCCUSD educators in his or her area of specialty. At the end of the year’s residence, the SIR will present WCCUSD with a detailed reflection of findings and opportunities for growth.

SIR Program Description

The board will identify each year an area of focus in education research useful to the WCCUSD Professional Learning Community. The SIR will be a one-year non-renewable position open to practicing education researchers with demonstrated specialty in the annual area of focus. Researchers with experience in WCCUSD or comparable districts will be preferred. Staff will suggest a candidate and submit to the board for approval. In case of multiple candidates for a given year, a selection committee of comprised of two board members and the superintendent will make a suggestion to the full board.

For the pilot year 2014-15, the area of focus will be Universal Design for Learning/Personalized Learning. If the board supports the program beyond the pilot year, the areas of focus will follow this schedule.

- 2014-15 Collaboration/Teacher Leadership
- 2015-16 Technology in Education

Goals

- Offer WCCUSD educators substantial and ready access to current education scholarship
- Add new understanding to WCCUSD's professional learning community
- Build district capacity to support student learning in new ways
- Assist in identifying best practices across the district to expand WCCUSD strengths
- Partner with WCCUSD educators to develop research-based and locally-informed approaches to areas of need.
- Provide local context behind education issues unique to WCCUSD, in an effort to explore nuances masked by broader district data

The Scholar-in-Residence duties:

- Design and conduct within WCCUSD an education action research project to span the 2013-14 school year with the purpose of identifying and building upon district-specific strengths.
- Facilitate extensive dialogue with WCCUSD educators on current education research and its implications for WCCUSD.
- Support interested WCCUSD educators to incorporate new instructional strategies into classroom and/or school sites throughout the residency year, including, but not limited to coaching and professional development workshops.
- Observe WCCUSD schools weekly to discover our most successful strategies and gather data and perspectives from students, teachers, administration, parents, and district staff and leadership.
- Communicate findings to WCCUSD educators to increase dialogue and stimulate the process of developing new programming, research, and additional funding opportunities.

Scholar-in-Residence products:

- Produce design plan for a professional growth program for WCCUSD in specific area of specialty.
- Write and present a summary brief highlighting areas of strength and opportunities for growth
- Lead professional development workshops and coaching informed by data collected, with the purpose of helping interested educators integrate new strategies.
- Run WCCUSD education conference to share district strengths, provide opportunities for local educators to collaborate and present ideas, promote collaboration around implementing Common Core standards, and encourage dialogue in broader WCCUSD community.

Access

The SIR shall be available to teacher groups, school sites, administrators and other interested parties throughout the program year. The SIR will maintain a schedule of availability accessible to the WCCUSD professional community. Research projects can be limited to a school or group of schools. The SIR can also emphasize particular grade levels, school types, e.g. middle school, high school, K-8... or domain like special ed or ELD.

If the board deems the pilot SIR program successful, WCCUSD will identify a new scholar for the 2014-15 school year in the designated area of focus.

Cost

WCCUSD will cover one year sabbatical costs for the SIR from his or her current employer, est. \$60,000-\$100,000 annually.

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: April 10, 2013

From: Bruce Harter
Superintendent

Agenda Item: F.2

Subject: Restoration of Elementary Instrumental Music

Background Information:

In early 2009 during the height of the great recession and the severe reduction in state funding, the District eliminated the elementary instrumental music program. For many years, the District had employed four instrumental music teachers to provide 'pull-out' services in each elementary school as well as a full-time instrumental music coordinator who also provided organization and management for the middle and high school programs. While some schools have been able to restore after-school instrumental music through grants and fund raisers, most elementary schools have not had the resources to do so.

At the special meeting regarding the Portola feeder pattern on March 27, 2013, the Board discussed a long-term strategy to enhance the fine arts in WCCUSD with the possibility of creating an arts academy at El Cerrito High School. With the District and community currently engaged in an effort to develop a 2013-2018 strategic plan, the arts enhancement effort will clearly be part of that plan development.

At March 27, 2013 meeting, the Board gave direction to bring an action item to the Board that would initiate the restoration of an elementary instrumental music program for the 2013-14 school year. While the program would not necessarily have to be the same as the one that was eliminated after the 2008-09 school year, it may well have some similar elements in providing opportunities for students in grades 4th, 5th and 6th to learn to play a music instrument. Even though the financial situation of the District has improved, it would be prudent from both the financial and program-development elements to bring back elementary instrumental music in deliberate and gradual way. Therefore, the request for program and budget allocation is for two teachers and part-time coordination for 2013-14. The other elements of the restoration and enhancement of the arts would follow the timeline and action strategies of the 2013-2018 strategic plan.

Recommendation:

That the Board authorize that the 2013-14 budget include the equivalent of a maximum of 2.5 full-time equivalent positions in elementary instrumental music teaching and coordination.

Fiscal Impact: Approximately \$200,000 from the General Fund for 2013-14

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: April 10, 2013

From: Bill Fay
Associate Superintendent for Operations

Agenda Item: G.1

Subject: Project Status Report

Background Information:

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 – Verbal Presentation
- Construction Status Reports – Current Construction Projects

Recommendation: For information only

Fiscal Impact: None

DISPOSITION BY BOARD OF EDUCATION

Motion by: _____

Seconded by: _____

Approved _____

Not Approved _____

Tabled _____

PROJECT STATUS REPORT

Downer Elementary School -

Period Ending: 3/27/2013

Scope: CCS @ Downer

Construction Status:

Architect: HY Architects
 Project Manager: Rod Sias, SGI Construction Management
 Project Engineer:
 Contractor: Arthulia Inc.
 Inspector: Kris Gilbert
 WCCUSD Mgr: Eduardo Donoso

Contract Status:

Notice to Proceed: 12/3/2012
Original Approved Projected
 Construction Schedule (days): 30 0 102
 Original Completion Date: 1/2/2013
 Projected Completion: 3/16/2013

Buildings:

CCS @ Downer Portable Installation

Progress This Period:

- Change Order Work & Punch List – COMPLETE.
- Telecommunications and Data installation – COMPLETE.
- Electrical Power (P G & E) – COMPLETE.
- Mobile Modular Punchlist Items – IN PROGRESS.

Anticipated Progress Next Period:

- CCS Staff Move – IN PROGRESS.
- DSA Closeout – IN PROGRESS.

Schedule Assessment/Update:

Construction Duration (Calendar Days): 102
 Construction Calendar Days Elapsed: 102
 Construction Calendar Days Remaining: 0
 Percent of Contract Calendar Days Elapsed: 100%
 Percent of Construction Completed: 100%

Percentage of Work Done 100% Total Project

Modular Unit	100%	30%
Fencing & ADA Parking	100%	10%
Plumbing & Elec. Infrastructure	100%	30%
Ramp Installation	100%	10%
Electrical Power (P G & E)	100%	10%
Telecommunications (AT & T)	100%	10%

Proposed Changes:

Change Order #001 Submitted for Board Approval.

General Comment:

Progress Photos: 3/27/2013



CCS @ Downer Fencing & Container - COMPLETE



CCS @ Downer- ADA Ramps & Landings - COMPLETE



CCS @ Downer-New Storm Drain & CO Work - COMPLETE

PROJECT STATUS REPORT

De Anza High School - Replacement Campus

Period Ending: 3/27/2013

Scope: Replacement Campus

Construction Status:

Architect: DLM Architects
 Project Manager: Jose Chapa, SGI Construction Management
 Project Engineer: Marc Alojepan, SGI Construction Management
 Contractor: Wright Contracting Inc.
 Inspector: Steve Cayson
 WCCUSD Mgr: Andrew Mixer

Contract Status:

Notice to Proceed:	05/17/2010		
		Original	Approved
Construction Schedule (days):	1,080	52	1,132
Original Completion Date:	05/01/2013		
Projected Completion:	6/22/2013		

Buildings:

Building 1	Administration & Library
Building 2 & 3	Theater & Arts/Delta School
Building 4	Special Education
Building 5	Science
Building 6 & 7	Classrooms
Building 8	Gymnasium
Building 9	Cafeteria
Building 11, 12, & 13...	Lobby, Breezeway, & Entrance Structure/Portico

Progress This Period:

- Building 1, 2, 3, 4, 5, 6, 7, 8, 9, & 11--Punch-list, Back-Check
- Building 1, 8, & 9--HVAC, EMS, & Lighting Controls Commissioning
- Building 13--Install Translucent Skylight Panels
- PV System--Install Racking System, & PV Panels
- All Buildings - Punch-list Back-Check
- Exterior Site Work - Punch-list Inspection, Back-Check

Anticipated Progress Next Period:

- Site Work - Punch-list Inspection, Back-Check
- Building 1, 8, & 9--HVAC, EMS, & Lighting Controls Commissioning
- Doors - Exterior and Interior Back-Check
- HVAC Unit - Back-Check
- PV System - Back-Check
- PV System - Install Monitoring Kiosk Cover
- Building No. 9 - Health Department Inspection
- Installation of Data Drops and Wireless Access

Schedule Assessment/Update:

Construction Duration (Calendar Days):	1,132
Construction Calendar Days Elapsed:	1,045
Construction Calendar Days Remaining:	87
Percent of Contract Calendar Days Elapsed:	92%
Percent of Construction Completed:	97%

Percentage of Work Done **97%** **Total Project**

Proposed Changes:

General Comment:

Progress Photos: 3/27/2013



De Anza HS - Front Entrance



Building No. 1 - Administration



Building No. 2 - Theater

PROJECT STATUS REPORT

Dover Elementary School -

Period Ending: 3/27/2013

Scope: Increment 3 - Hazmat & demo of (E) kindergarten building, construction of new covered walkway, play area & site work.

Construction Status:

Architect: HY Architects, Inc.
 Project Manager: Eddie Law, SGI Construction Management
 Project Engineer:
 Contractor: Alten Construction, Inc.
 Inspector: Kris Gilbert
 WCCUSD Mgr: Eduardo Donoso

Contract Status:

Notice to Proceed: 06/15/2009

	Original	Approved	Projected
Construction Schedule (days):	1,110	280	1,390
Original Completion Date:	06/29/2012		
Projected Completion:	4/5/2013		

Buildings:

Building A Main Admin. Building & Classrooms - COMPLETED
 Building B Pre-School/Kindergarten - COMPLETED
 Building C Multi Purpose Room Building - COMPLETED
 Site Work Site Work and Covered Walkway - PUNCH LIST

Progress This Period:

- Punch list work.
- Close-out Documents.

Anticipated Progress Next Period:

- Asphalt coloring and striping.
- Notice of Completion.

Schedule Assessment/Update:

Construction Duration (Calendar Days):	1,390
Construction Calendar Days Elapsed:	1,381
Construction Calendar Days Remaining:	9
Percent of Contract Calendar Days Elapsed:	99%
Percent of Construction Completed:	99%

Percentage of Work Done 99% Total Project

Phase 1 -- Demolition & Site Work	Increments 1 & 1A	100%
Phase 2 -- Building "A"	Increment 2	100%
Phase 3 -- Building "B" & "C"	Increment 3	100%
Phase 4 -- Site Work & Playground	Increment 3	99%

Proposed Changes:

- Board & DSA Approved Change Orders #'s 1-25, #26 at DSA, #27 & #28 Board approved, #29 & #30 pending Board review and approval.

General Comment:

- AC coloring and striping cannot be completed until weather conditions are above 50 degrees F. Work scheduled to be completed during Spring Break.

Progress Photos: 3/27/2013



Soccer Field Overlooking Multipurpose Room



Parking Lot at Dover Ave.



Main Play Area with No AC Coloring

PROJECT STATUS REPORT

Gompers and LPS Richmond Schools - New Construction

Period Ending: 3/27/2013

Scope: New Construction

Construction Status:

Architect: HMC Architects
 Project Manager: Tim Peel, SGI Construction Management
 Project Engineer: Gaile Suarez, SGI Construction Management
 Contractor: Lathrop Construction Associates
 Inspector: Roy Moreno
 WCCUSD Mgr: Andrew Mixer

Contract Status:

Notice to Proceed:	08/20/2012		
		Original	Approved
Construction Schedule (days):	1,090		
Original Completion Date:	08/15/2015		
Projected Completion:	08/15/2015		

Buildings:

Building A	Leadership Public Schools
Building B	Shared Gymnasium
Building C	Gompers High School

Progress This Period:

- Foundation excavation and rebar in progress Building B.
- Under slab excavation and foundation excavation Building C.

Anticipated Progress Next Period:

- Steel Erection Building A.
- Foundation concrete & under slab plumbing Building B.
- Foundation construction Building C.

Schedule Assessment/Update:

Construction Duration (Calendar Days):	1,090
Construction Calendar Days Elapsed:	219
Construction Calendar Days Remaining:	871
Percent of Contract Calendar Days Elapsed:	20%
Percent of Construction Completed:	20%

Percentage of Work Done	20%	Total Project
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Proposed Changes:

General Comment:

Progress Photos: 3/27/2013



Building B Waterproofed Elevator Pit



Building B preparing for sonic testing



Building A Concrete Trucks

PROJECT STATUS REPORT

Helms Middle School - Sports Field and Landscaping

Period Ending: 3/27/2013

Scope: Sports Field and Landscaping Project

Construction Status:

Architect: Baker Vilar Architects
 Project Manager: Hector DeLeon, SGI Construction Management
 Project Engineer:
 Contractor: Robert A. Bothman Inc.
 Inspector: Brad Williamson
 WCCUSD Mgr: Eduardo Donoso

Contract Status:

Notice to Proceed:	1/7/2013		
	Original	Approved	Projected
Construction Schedule (days):	395	0	490
Original Completion Date:	02/06/2014		
Projected Completion:	5/12/2014		

Buildings:

Building 1	Boys & Girls Restrooms
Building 2	Storage Building

Progress This Period:

- The construction has demolished the trees on site and the old wood water tower at the rear of the site.
- Our project has been put on hold due to the discovery of Naturally Occurring Asbestos (NOA).
- A work plan has been created to protect worker exposure to the very low level (.083%) of NOA.
- An awareness training for worker safety was held for both the general contractor and their subcontractors who will be on the project.
- Work to resume Monday April 1, 2013.

Anticipated Progress Next Period:

- Prepare soil stabilization for Community Center Building pad.
- Demolition of water tanks and removal of existing trees on western property line.

Schedule Assessment/Update:

Construction Duration (Calendar Days):	490
Construction Calendar Days Elapsed:	80
Construction Calendar Days Remaining:	410
Percent of Contract Calendar Days Elapsed:	16%
Percent of Construction Completed:	4%

Percentage of Work Done **4%** **Total Project**

Demolition	20%	5%
Clearing & Grubbing	90%	3%
Import Soil	0%	10%
Community Center Bldg. Pad	0%	15%

Proposed Changes:

Natural Occurring Asbestos (NOA) was detected in the soil along with a Chlordane, a pesticide used for termites and red ants. We have trained the workers with an awareness program on the NOA. The District consultant is preparing an action plan for the isolated pesticide.

General Comment:

General Contractor is preparing to have their subcontractor remobilize to begin work on the Alternate #1, the preparation of the Community Center Building Pad for the City of San Pablo's general contractor.

Progress Photos: 3/27/2013



Wood water tank demolished



Perimeter fence removed & trees demolished



Pesticide test pit on proposed main field.

PROJECT STATUS REPORT

Ohlone Elementary School - West Campus

Period Ending: 3/27/2013

Scope: Ground up Construction of 2 buildings, landscaping and play grounds.

Construction Status:

Architect: Powell & Partners
 Project Manager: Sonya Perkins, SGI Construction Management
 Project Engineer: Paul Orr, SGI Construction Management
 Contractor: Zovich & Sons Construction Company
 Inspector: Mark Eriksen
 WCCUSD Mgr: Eduardo Donoso

Contract Status:

Notice to Proceed: 08/01/2011

	Original	Approved	Projected
Construction Schedule (days):	780		973
Original Completion Date:	7/20/2013		
Projected Completion:	3/1/2014		

Buildings:

Bldg. A Admin & Classrooms
 Bldg. B Classrooms & Restrooms

Progress This Period:

- MEP/ rough-in continues.
- Installation of drywall, fire sprinklers, technology, clean & prime underlayment.
- Install 2nd layer of underlayment
- Installation of brown coat stucco.
- Mecco shade rough-in, metal framing, HVAC units delivered.
- Electrical/Technology rough-in continues.

Anticipated Progress Next Period:

- Complete finish coat of stucco on Buildings A & B.
- Tape & mudding in both buildings.
- MEP rough in Building A continues.
- Pulling cables, metal roof installation, fire sprinklers and fire alarm installation.
- Cabinet & countertop mock up.
- EBMUD scheduled for Pheasant Street.
- Install transformer & switchgear.
- Install gas line.

Schedule Assessment/Update:

Construction Duration (Calendar Days):	973
Construction Calendar Days Elapsed:	556
Construction Calendar Days Remaining:	417
Percent of Contract Calendar Days Elapsed:	57%
Percent of Construction Completed:	58%

Percentage of Work Done **58%** **Total Project**

Proposed Changes:

General Comment:

Overall the project is progressing.

Progress Photos: 3/27/2013



Building A- Lathe/Brown Coat/Canopy



Building A- Base stucco color on roof overhang



Building B - Drywall/Drop Ceiling Tracks/Cabling

PROJECT STATUS REPORT

Portola Middle School - BLDG Demo & Site Work

Period Ending: 3/28/2013

Scope: Demolition of the Original Portola Middle School with attending Environmental Waste Management and Materials Salvage.

Construction Status:

Architect: HY Architects
 Project Manager: Toby Black, SGI Construction Management
 Project Engineer:
 Contractor: Alten Construction
 Inspector:
 WCCUSD Mgr: Andrew Mixer

Contract Status:

Notice to Proceed:	5/9/2012		
	Original	Approved	Projected
Construction Schedule (days):	225		423
Original Completion Date:	12/20/2012		
Projected Completion:	7/6/2013		

Buildings:

Mobilization	Fencing, Trailers, Temporary Utilities & Facilities
Start-Up	Salvaging, 3rd Party Contractors/Vendors
Abatement	Buildings and Portables
Demolition	Site, Buildings and Portables
Completion	Grading, Hydroseeding, Fencing and Demobilization

Progress This Period:

- Project has been temporarily shut down due to weather.
- Contractor is projected to return on May 6th, 2013

Anticipated Progress Next Period:

- Site grading.
- Hydroseeding and SWPPP maintenance.
- Installation of new curb cuts for drive access per encroachment permit.
- Removal of AC paving at the bottom of the site.
- Installation of new concrete curbs at bottom of site at the temp campus.
- Removal of temporary fencing and installation of new fencing at South West corner of site.
- Removal of concrete retaining walls at top of site.

Schedule Assessment/Update:

Construction Duration (Calendar Days):	423
Construction Calendar Days Elapsed:	324
Construction Calendar Days Remaining:	99
Percent of Contract Calendar Days Elapsed:	76%
Percent of Construction Completed:	85%

Percentage of Work Done	85 %	Total Project
Mobilization		100%
Start-Up		100%
Abatement		100%
Demolition		99.9%
Completion		85%

Proposed Changes:

General Comment:

Time extension of 61 days currently under review. Due to weather, the grading portion of this project has not commenced. The District has chosen the option presented by the contractor to shut down the project until May 6th when weather conditions become optimal for grading. 31 non-compensable weather days have been granted. A non-compensable time extension to be submitted for the remainder of the days leading up to May 6th.

Progress Photos: 3/28/2013



SWPPP measures where the lower stairs once were located



Bottom of the hill at the AC paving



Previous location of the Main Classroom Building