



KERN HIGH SCHOOL DISTRICT

5801 Sundale Avenue
Bakersfield, CA 93309-2924
(661) 827-3154 FAX: (661) 827-3301

BOARD OF TRUSTEES

Special Meeting
February 20, 2009

OFFICIAL MINUTES

PRELIMINARY

Call to Order

The February 20, 2009 Special Meeting of the Board of Trustees of the Kern High School District was called to order at 8:05 a.m. by Board President, Joel Heinrichs, in Conference Room 'A' of the Administrative and Support Services Office, Kern High School District, 5801 Sundale Avenue, Bakersfield.

Members Present:

Joel Heinrichs, President
J. Bryan Batey, Clerk
Bill Perry, Member
Chad Vegas, Member

Member(s) Absent:

Ken Mettler, Vice President

Administrative Staff Member(s) Present:

Donald E. Carter, Superintendent
Dennis Scott, Associate Superintendent, Business
William R. Jones, Assistant Superintendent, Personnel
Joe Thompson, Associate Superintendent, Instruction
Rebecca A. Shipley, Administrative Assistant to the Board of Trustees and Superintendent

Administrative Staff Member(s) Absent:

None

Adoption of Agenda For Closed Session

Superintendent Carter announced no changes to the Closed Session agenda and asked for Board action to adopt. It was moved by Trustee Batey, seconded by Trustee Vegas and carried that the agenda for Closed Session be adopted.

Hearing of Citizens on Closed Session Agenda

President Batey asked if any citizen was present who wished to address the Board of Trustees on any item to be considered in Closed Session. Hearing no request to make comments, the Board adjourned to Closed Session at 8:05 a.m.

ADJOURNMENT TO CLOSED SESSION

**Adjournment to
Closed Session**

The following Closed Session agenda items were considered by the Board of Trustees:

Conference with Agency Labor Negotiator, William R. Jones, Regarding Collective Bargaining Agreement(s) with Employee Group(s)

ADJOURNMENT FROM CLOSED SESSION

**Adjournment from
Closed Session**

The Board of Trustees adjourned Closed Session at 8:28 a.m.

RECONVENING IN OPEN SESSION

**Reconvening in
Open Session**

The Board of Trustees reconvened in Regular Session at 8:30 a.m. in the Board Room of the Kern High School District Administrative and Support Services Office.

**Adoption of
Final Agenda**

It was moved by Trustee Batey, seconded by Trustee Vegas and carried that the Final Agenda be approved with changes as announced by Superintendent Carter.

REPORT FROM CLOSED SESSION

**Report from
Closed Session**

No action was taken by the Board of Trustees in Closed Session. The next Regular Board of Trustees meeting is scheduled for Monday, March 2, 2009.

SUPERINTENDENT'S REPORT

Superintendent's Comments on District Activities

**Superintendent's
Comments on
District Activities**

No comments.

COMMUNICATIONS

Communications

No communications were shared with Trustees at the Board meeting. Superintendent Carter reported that all communications received for the Board of Trustees have been forwarded to the Trustees under separate cover.

HEARING OF CITIZENS

Hearing of Citizens

Several requests to address the Board of Trustees were presented to Board President Heinrichs. The speakers desired to hold their comments until the Board Study Session

SUPERINTENDENT'S OFFICE

No items

INSTRUCTIONAL SERVICES

No items

PERSONNEL SERVICES

No items

BUSINESS SERVICES

No Items

CONSENT AGENDA

*Items required by law and/or items in accordance with the District
Administrative Code and/or the Education Code*

**Administrative
Report**

Board President Heinrichs called for the motion to adopt the Administrative Report as presented. It was moved by Trustee Vegas, seconded by Trustee Perry and carried with a unanimous vote that all items on the Administrative Report be approved as presented.

Superintendent's Office

No Items

Instructional Services

No items

Personnel Services

1. Ratification of Issuance of Annual Notice Letters (Dated February 11, 2009) to Certain Certificated Public Employees.

Business Services

1. Authorization to enter into a 2008/2009 Audit Contract with Mayer Hoffman McCann P.C. to provide financial auditing services.
2. Approval to accept a donation of \$250.00 from Mid State Development in support of costs related to the National Business Plan Competition and the Virtual Enterprise Trade Fair in New York.

3. Quarterly Report of Investments. (Under Separate Cover)
4. Authorization to solicit bids for annual District-wide asbestos abatement services.
5. Authorization of extension of Bid No. 2245 – District-wide Annual Contract for Tree Trimming for the second year of a potential five year contract. United Pacific Services, Inc. proposed a 0.0% increase for the second contract year. The first year contract usage was approximately \$95,000.00.
6. Approval of Change Order No. 23 for Mira Monte High School (Comprehensive High School No. 1-2004) Portion Two for a total of \$31,703.00, as follows:
 - a. Bid No. 1815-06 – Structural Steel, Miscellaneous Iron, and Metal Deck
Contractor: Kern Steel Fabrication, Inc.
Original Contract Amount: \$ 1,796,000.00
Adjusted Contract Amount: \$ 1,826,177.50
This Increase: \$ 6,127.00
New Total: \$ 1,832,304.50
 - b. Bid No. 1819-10 – Electrical Systems
Contractor: Howe Electric, Inc.
Original Contract Amount: \$12,590,000.00
Adjusted Contract Amount: \$12,722,695.92
This Increase: \$ 5,635.00
New Total: \$12,728,330.92
 - c. Bid No. 1821-05 – Fire Sprinkler System
Contractor: Control Fire Protection, Inc.
Original Contract Amount: \$ 858,000.00
Adjusted Contract Amount: \$ 862,750.00
This Decrease: \$ (2,000.00)
New Total: \$ 860,750.00
 - d. Bid No. 1822-04 – Finish Carpentry
Contractor: AMG & Associates, Inc.
Original Contract Amount: \$ 1,365,000.00
Adjusted Contract Amount: \$ 1,370,789.00
This Increase: \$ 15,415.00
New Total: \$ 1,386,204.00
 - e. Bid No. 1837-07 – Painting and Special Coatings
Contractor: Ro's Precise Painting, Inc.
Original Contract Amount: \$ 428,100.00
Adjusted Contract Amount: \$ 459,748.27
This Increase: \$ 6,526.00
New Total: \$ 466,274.27
7. Approval of Change Order No. 24 for Mira Monte High School (Comprehensive High School No. 1-2004) Portion Two for a total of \$20,901.80, as follows:

- a. Bid No. 1820-06 – HVAC, DDC/EMS and Flashing
 - Contractor: American Incorporated
 - Original Contract Amount: \$ 8,790,000.00
 - Adjusted Contract Amount: \$ 8,573,879.55
 - This Increase: \$ 10,276.21
 - New Total: \$ 8,584,155.76

 - b. Bid No. 1825-04 – Cold Formed Metal Framing and Gypsum Wallboard
 - Contractor: Frye Construction Inc.
 - Original Contract Amount: \$ 2,464,000.00
 - Adjusted Contract Amount: \$ 2,474,752.39
 - This Increase: \$ 13,413.36
 - New Total: \$ 2,488,165.75

 - c. Bid No. 1826-03 – Lath and Plaster
 - Contractor: Frye Construction Inc.
 - Original Contract Amount: \$ 2,360,000.00
 - Adjusted Contract Amount: \$ 2,373,804.00
 - This Decrease: \$ (6,000.00)
 - New Total: \$ 2,367,804.00

 - d. Bid No. 1837-08 – Painting and Special Coatings
 - Contractor: Ro's Precise Painting, Inc.
 - Original Contract Amount: \$ 428,100.00
 - Adjusted Contract Amount: \$ 466,274.27
 - This Increase: \$ 3,212.23
 - New Total: \$ 469,486.50
8. Approval of Change Order No. 1 for Arvin High School Modernization 2005 for a total of \$118,102.84, as follows:
- a. Bid No. 2105-01 – Asbestos Lead Abatement and Selective Demolition
 - Contractor: APC Contractors, Inc.
 - Original Contract Amount: \$ 633,000.00
 - Adjusted Contract Amount: \$ 0.00
 - This Increase: \$ 8,843.84
 - New Total: \$ 641,843.84

 - b. Bid No. 2105-02 – Asbestos Lead Abatement and Selective Demolition
 - Contractor: APC Contractors, Inc.
 - Original Contract Amount: \$ 633,000.00
 - Adjusted Contract Amount: \$ 641,843.84
 - This Increase: \$ 46,514.00
 - New Total: \$ 688,357.84

 - c. Bid No. 2108-01 – Rough Carpentry
 - Contractor: Cuyamaca Const., Inc.
 - Original Contract Amount: \$ 685,000.00
 - Adjusted Contract Amount: \$ 0.00
 - This Increase: \$ 17,455.00
 - New Total: \$ 702,455.00

- d. Bid No. 2130-01 – Plumbing
 - Contractor: HPS Mechanical, Inc.
 - Original Contract Amount: \$ 1,463,401.00
 - Adjusted Contract Amount: \$ 0.00
 - This Increase: \$ 22,309.00
 - New Total: \$ 1,485,710.00

- e. Bid No. 2130-02 – Plumbing
 - Contractor: HPS Mechanical, Inc.
 - Original Contract Amount: \$ 1,463,401.00
 - Adjusted Contract Amount: \$ 1,485,710.00
 - This Increase: \$ 22,981.00
 - New Total: \$ 1,508,691.00

- 9. Approval of Professional Services Supplement Agreement (PSSA) No. 2 for RFQ No. 2003 – Architectural Services for Comprehensive High School No. 2-2004 to add the Career Technical Education Facilities Program (CTEFP) remodel of the Construction Technology area:

- Architect: Ordiz-Melby Architects, Inc.
- This Increase: \$ 25,000.00

- 10. Approval of Professional Services Supplement Agreement (PSSA) No. 3 for RFQ No. 2003 – Architectural Services for Comprehensive High School No. 2-2004 to add the Career Technical Education Facilities Program (CTEFP) remodel of the Agriculture-Mechanical area:

- Architect: Ordiz-Melby Architects, Inc.
- This Increase: \$ 40,000.00

ADJOURNMENT TO BOARD STUDY SESSION

**Introduction to
Board Study Session
and Review of Issues**

Superintendent Carter introduced the Board Study Session regarding the 2009-10 budget for the Kern High School District. He reported the State of California is facing a \$41.6 billion shortfall. On February 19, 2009, the California Senate and California Assembly passed a budget package, 105 days after they were called into a Special Session on November 6, 2008. Superintendent Carter reported, “This budget package is reportedly going to be signed by the Governor this morning, and will shift the fiscal position of the Kern High School District significantly from what was proposed two weeks ago.”

**Presentation of
Legislative Budget
Package**

On February 19, 2009 the State Senate and Assembly completed action on both the 2008-09 mid-year budget adjustment and the 2009-10 State Budget. Current year (2008-09) K-12 funding reductions are split 50/50; half from revenue limits and the remainder through a 15% cut to over 50 categorical programs.

Revenue Reductions / General Unrestricted Fund:

	<u>2008-09</u>	<u>2009-10 Projected</u>
Revenue Limit Cut vs. Adopted Budget	\$ 4.5 Million	\$ 7.0 Million
New Deficit Factors	7.844%	13.094%
Cuts to Categoricals	\$4.4 Million	\$5.8 Million

Categorical programs have been divided into three tiers. The first tier (Tier 1) will include cuts to Special Education, Child Development, Economic Impact Aid (EIA), Transportation and QEIA. For these Tier I programs, there are no reductions, no funding increases and no flexibility in the proposed State Budget.

Tier II programs include Student Assessment Testing, English Learner Student Assistance, Partnership Academies, Adults in Correctional Facilities, and Agricultural Vocational Education. Tier II programs will see a 15% funding reduction, no program flexibility and are subject to a 5.0% reduction in 2009-10.

Tier III programs has the largest number of categorical programs included, and the list below is a partial list but includes a significant number of dollars lost in funding for Kern High School District. These programs will have a 15% funding reduction, full program flexibility and are subject to a 5% reduction next year:

- Art & Music Block Grant
- CAHSEE Intensive Instructional Support
- Supplemental School Counseling
- Instructional Materials
- GATE
- Pupil Retention Block Grant
- Teacher Credentialing Block Grant
- Adult Education
- ROC/P
- Class Size Reduction

Vocational education programs are important to the Kern High School District and a 15% cut this current year and additional 5% cut next year is significant. Districts are authorized to access prior year ending fund balances as of June 30, 2008 from most (Tier III) categorical programs. Some carryover funds have been spent this year. Major categorical programs such as EIA, Instructional materials, Special Education, QEIA, Transportation, etc. are protected.

The 2009-10 fiscal year budget proposes an elimination of the COLA and further reduction of revenue limits. There will also be an additional 4.9% cut to Tier II and III categorical programs funding. There is concern, also, on the lack of clarification on “full flexibility” with Tier III categorical. One-time funds from categorical ending balances and transfers should be used judiciously. The May Revision Proposal, which is part of the agreement, may impact 2009-10 funding levels. State Revenues are tied directly to the passage or failure of propositions on the May 19, 2009 ballot. No new Mandate Funding is provided and the agreement does not include the proposal to suspend Mandates. Associate Superintendent Scott reported the one-time funds will be used to support instructional programs, but extreme caution will be used and the funds will not be used to fund ongoing programs. In addition, the February 2009 apportionment from the State is deferred to July 2009 and the same for all future years. July and August 2009 apportionments are deferred to October 2009.

**Presentation of
Potential
Expenditure
Reductions**

A new list of proposed expenditure reductions for 2009-10 was presented to the Board of Trustees by Associate Superintendent Scott. The new list now includes three levels of proposed reductions, \$20.0 million, \$30.0 million and \$40.0 million. Dr. Scott reported specifically on the Level I proposed reductions of \$20.0 million with full consideration of the

February 19th legislative package:

<u>Proposed Reduction, \$20.0 million, Level I</u>	<u>\$ 20,000,000</u>
Cut in Revenue Limits Reductions from Governor's December 31, 2008 proposal	\$ 4,500,000
One-time Sweep of 2007-08 and 2008-09 Categorical Ending Balances	\$ 3,300,000
Sweep of 2009-10 Categorical Funds using Proposed Tier 3 categorical flexibility	\$ 2,000,000

The following areas are recommended for reductions in the category of District Support:

<u>Transportation services for safe routes.</u> Elimination of bus routes within two-mile walk in	\$ 370,000
<u>Reduce Maintenance & Operations Services</u> Reduce Maintenance and Operations	500,000
Eliminate District contribution to the Deferred Maintenance fund	1,000,000
<u>Reduce Business, Fiscal and Facilities Services Departments</u> Reduction of staff in operations of warehousing, contracts and construction, which would take place whether or not there was a budget crisis or not, simply due to the slowdown of construction activity	484,000
<u>Transfer Asbestos Fund to General Fund</u>	1,900,000
<u>Reduce District Office Department Budgets and Miscellaneous Savings; One-time sweep savings</u>	400,000
<u>Reduce District Office Personnel</u> Reduction of staff from a variety of departments across the District Office	350,000
<u>Reduce Special Education Expenditures</u> Potential savings of \$500,000 could be realized with the moving of some staff and closing of some specialized programs at a couple of schools. There would be more efficiency with staffing and staffing assignments.	500,000
<u>Reduce District Office Administrative and Board Travel</u> General reduction of District Office, administrative and Board Member Travel	15,000
<u>Restructure Principal Partners' Day</u> Restructuring this annual program to find savings in how this event is setup each year, plus the elimination of the breakfast program	10,000

<u>Close the District Office Professional Development Center</u>	
The District Office Professional Development Center is located on the second floor of the Starrh building	20,000
<u>Eliminate Nueva Cal Safe Program</u>	
Potential savings through the closing of the day care program currently in place at Nueva Continuation High School	80,000
<i>Sub-Total</i>	<i>\$ 15,429,000</i>

The difference between the targeted total of \$20.0 million and the above reductions is \$4,571,000. Superintendent Carter reported the balance would be funded through reductions in school site staffing, including second semester staffing efficiencies (\$300,000), declining enrollment reductions (\$2,240,000) and the balance through reductions due to the budget (\$2,215,000).

The reductions in FTE to reach the total of \$2,215,000 would include a staffing reduction of 20 FTE at the District level. School site staffing reductions would include the following:

School Site Staffing Reductions (FTE):

Teachers	
2 nd Semester Staffing	20.0
Declining Enrollment	26.7
Budget Cuts	23.8
Counselors:	
Declining Enrollment	2.0
Budget Cuts	4.3
Administrators:	
Declining Enrollment	1.9
Budget Cuts	2.3
Clerical:	
Declining Enrollment	4.4
Budget Cuts	4.1

**Presentation of
Potential Mitigation
Variables**

Federal Stimulus Package

California hopefully will receive a fairly good chunk of funds from the Federal Stimulus Package. The State Legislature has already indicated they will take \$8.0 million off the top to solve some of the budget issues, and it is anticipated that the Governor and Legislature will have a lot to say about where the additional funds are earmarked. While we are very hopeful they will be beneficial to the Kern High School District, it is not likely that additional funding will become available.

**Impact on School
Site Staffing**

Superintendent Carter reviewed the level of actual personnel numbers which would be affected by the three different levels of proposed expenditure reductions. The proposed reduction of staff next year is 160, for a total of 270 over two years.

**Process for Layoff
Notices**

Bill Jones, Assistant Superintendent of Personnel, reviewed the process for layoff notices with the governing board. He reported the first resolution will be presented on March 2, which will be the legal notification for certificated employees. Administrative reassignments or adjustments are processed through a letter to the affected employee. Notices are planned for twelve administrators. Administrators affected by reassignment back to the classroom do have seniority because of their years of service. The same is true for counselors. Counselors are not a specific group, but are teachers to the greatest extent with their credentials. If a layoff notice is given, the counselor can move back into teaching. The teaching positions that will be given layoff notices will be presented to the Board of Trustees on March 2, 2009. Mr. Jones reported he is working closely with the principal of the Bakersfield Adult School to determine how they will be affected with the 15% reduction. Six employees at the Lerdo Facility could be affected if a contract is not completed between the District and the County of Kern. Some of the regular contracted employees at Bakersfield Adult School may have seniority to bump back to the regular school site.

The two other items is reductions at the Regional Occupational Center and Assistant Superintendent Jones will also be working closely with the principal of the Regional Occupational Center regarding proposed staffing reductions. In addition the reductions in class size funding will also necessitate noticing some certificated employees.

The March 2, 2009 Board agenda will include a Resolution for approval by the Board of Trustees for noticing certain certificated public employees prior to March 15th. Mr. Jones reported the Personnel Division will work out the numbers as best they can, and all variables will be played out.

Board Discussion

Board President Heinrichs reported the revised budget reductions based on the legislative package passed on February 19, 2009 seemed reasonable.

Public Comments

Three speakers, Rita Harris, Robert Johnson, and Kathy Karlen, indicated their questions had been answered through the budget presentations and did not desire to make additional questions.

Randy Slater asked why no retirement incentive program had been proposed for classified employees. Assistant Superintendent Jones reported that any retirement incentive program has to be fiscally wise and prudent for the Kern High School District. Mr. Jones reported it includes replacing a retiring employee with an employee at a much lower salary schedule or not replacing the employee at all. In the cases of the classified employees there is not a sufficient difference to make it beneficial for the District fiscally.

Ray Robeles thanked the District and Trustees for saving a lot of the jobs (within the Transportation Department) and for keeping the athletic programs in place.

**Direction from the
Board**

Trustee Batey reported his desire that the final budget is not worse than the one approved by the legislators.

Trustee Vegas stated he appreciated the thoughtfulness and caring exhibited through the budget proposals. "This philosophy has served us well."

ADJOURNMENT

Adjournment

President Heinrichs adjourned the Special Meeting of February 20, 2009 at 9:00 p.m.

Joel Heinrichs, President

J. Bryan Batey, Clerk

JBB/KM:bs