



KERN HIGH SCHOOL DISTRICT

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

BOARD OF TRUSTEES

Special Meeting
May 15, 2009

OFFICIAL MINUTES

PRELIMINARY

Call to Order

The May 15, 2009 Special Meeting of the Board of Trustees of the Kern High School District was called to order at 10:00 a.m. by Board President, Joel Heinrichs, in the Board Room of the Administrative and Support Services Office, Kern High School District, 5801 Sundale Avenue, Bakersfield.

Members Present:

Joel Heinrichs, President
Ken Mettler, Vice President
Bill Perry, Member

Member(s) Absent:

J. Bryan Batey, Clerk
Chad Vegas, Member

Administrative Staff Member(s) Present:

Donald E. Carter, Ed.D., 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

Election of Clerk Pro Tem

It was moved by Trustee Mettler, seconded by Trustee Perry and carried with a three (3) yes, two (2) absent vote that Trustee William Perry be elected Clerk Pro Tem for this meeting.

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 Mettler, seconded by Trustee Perry and carried that the agenda for Closed Session be adopted.

Hearing of Citizens on Closed Session Agenda

President Heinrichs 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 10:02 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 Legal Counsel – Pending Claims and Anticipated Litigation
Significant exposure and initiation of litigation pursuant to Subdivision (b) of Section 54956.9, One Case

ADJOURNMENT FROM CLOSED SESSION

**Adjournment from
Closed Session**

The Board of Trustees adjourned Closed Session at 10:35 a.m.

RECONVENING IN OPEN SESSION

**Reconvening in
Open Session**

The Board of Trustees reconvened in Regular Session at 10:40 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 Perry, seconded by Trustee Mettler 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.

SUPERINTENDENT'S REPORT

Superintendent's Comments on District Activities

**Superintendent's
Comments on
District Activities**

Superintendent Carter reported he did not have a report; however, he did have a question from a Trustee. Trustee Mettler asked about the requirement for passing physical education requirements for graduation. Those requirements were reviewed by Associate Superintendent Thompson, including the requirement to pass a State-regulated Physical Fitness Test.

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

No general requests to address the Board of Trustees were submitted.

SUPERINTENDENT'S OFFICE

No Items

INSTRUCTIONAL SERVICES

No Items

PERSONNEL SERVICES

No Items

BUSINESS SERVICES

**Authorization of
Consideration of,
and Possible Action
on, Assessment of
Liquidated Damages
Against Davis
Moreno
Construction, Inc.
on the District
Records Retention
Facility Project**

No action. Item pulled from Final Agenda.

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 Mettler, 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

1. Approval of the following short term consultants:

- **Carolyn Simmons of The Write Tools, LLC** to provide a "Summer Writing Institute" consisting of four days of professional development for forty (40) Kern High School District teachers. The Institute supports teachers' efforts to improve CAHSEE essay scores and meets the program improvement essential component number four (4) – Teacher Professional Development Opportunities. *Funding Source: Categorical Federal Funds/Title I*

Personnel Services

No Items

Business Services

1. Approval to accept a check donation in the amount of \$250.00 from David Lee and the Pacific Gas and Electric Community Service Award Program. This program rewards employees and retirees for spending their personal time volunteering in the communities that Pacific Gas and Electric serves. Mr. Lee requested the donation go to the South High School California Partnership Academy, Engineering and Industrial Technology Academy (MS³) for scholarship awards to graduating participants
2. Ratification of recordation of the Notice of Completion for Bid No. 2275 – Arvin High School Gymnasium Windows and Roofing. This Notice of Completion recorded on April 15, 2009.
3. Ratification of recordation of the Notice of Completion for Bid No. 2299 – Arvin High School Gymnasium Ceramic Wall Tile Removal. This Notice of Completion recorded on April 9, 2009.
4. Approval of Resolution Finding The Initial Study/Mitigated Negative Declaration and the Mitigation Monitoring Plan For The Construction Of A New Continuation High School 2004-1 in Compliance with the California Environmental Quality Act (CEQA). Further, request authorization to file the required Notice of Determination and Certificate of Fee Exemption with the appropriate agencies.
5. Approval of Resolution for Making Certain Environmental Findings and Determinations Concerning the site of A New Continuation High School 2004-1 and to Adopt the Findings and Determinations in Compliance with Education Code Section 17213.
6. Approval of Change Order No. 21 for Independence High School (Comprehensive High School No. 2-2004) Portion Two for a total of (\$57,857.44), as follows:
 - a. Bid No. 2008-05 – Asphalt Concrete Paving

Contractor:	Griffith Company
Original Contract Amount:	\$ 1,583,729.00
Adjusted Contract Amount:	\$ 1,711,371.95
This <u>Decrease</u> :	(\$ 57,857.44)
New Total:	\$ 1,653,514.51
7. Approval of Change Order No. 3 for Arvin High School Modernization 2005 for a total of \$47,199.65, as follows:
 - a. Bid No. 2105-04 – Asbestos Lead Abatement and Selective Demolition

Contractor:	APC Contractors, Inc.
Original Contract Amount:	\$ 633,000.00
Adjusted Contract Amount:	\$ 707,165.34
This <u>Increase</u> :	\$ 10,727.00
New Total:	\$ 717,892.34

- b. Bid No. 2108-02 – Rough Carpentry
Contractor: Cuyamaca Const., Inc.
Original Contract Amount: \$ 685,000.00
Adjusted Contract Amount: \$ 702,455.00
This Increase: \$ 11,771.00
New Total: \$ 714,226.00
- c. Bid No. 2109-02 – Lath, Plaster, Drywall, Doors, and Frames
Contractor: Frye Construction Inc.
Original Contract Amount: \$ 1,144,000.00
Adjusted Contract Amount: \$ 1,159,494.53
This Increase: \$ 19,599.04
New Total: \$ 1,179,093.57
- d. Bid No. 2114-01 – HVAC
Contractor: Journey Air Conditioning Co., Inc.
Original Contract Amount: \$ 857,363.00
Adjusted Contract Amount: \$ 0.00
This Increase: \$ 1,123.50
New Total: \$ 858,486.50
- e. Bid No. 2136-01 – Doors, Frames, and Hardware
Contractor: Frye Construction Inc.
Original Contract Amount: \$ 440,000.00
Adjusted Contract Amount: \$ 0.00
This Increase: \$ 3,979.11
New Total: \$ 443,979.11
8. Approval of Professional Services Supplement Agreement (PSSA) No. 2 for RFQ No. 2700 – Architectural Services for South High School Modernization Phase 2-2006 to provide additional services for the Addition of Shade Structures and Covered Walks.

Architect: Ordiz-Melby Architects, Inc.
This Increase: \$ 229,500.00
9. Approval of Professional Services Supplement Agreement (PSSA) No. 3 for RFQ No. 2700 – Architectural Services for South High School Modernization Phase 2-2006 to provide additional services for Administration/Counseling Additions.

Architect: Ordiz-Melby Architects, Inc.
This Increase: \$ 51,480.00

ADJOURNMENT TO BOARD STUDY SESSION

**Adjournment to
Board Study Session**

The Open Session of the May 15, 2009 Special Board of Trustees meeting was adjourned to a Board Study Session at 10:50 a.m.

BOARD STUDY SESSION

**Introduction to
Board Study Session**

At a Special Study Session in October, 2008, Trustees reviewed the current enrollment and enrollment projections of District's high schools, with regard to the attendance boundaries that were established with the opening of Independence and Mira Monte high schools. The Board of Trustees directed staff to return in May 2009 with information on the short-term and long-term utilization of current facilities.

**School Enrollment
and Potential
Boundary
Adjustments**

School enrollment and capacity is shaped by Board-approved criteria, including:

- Provide best learning opportunities with some attention to student makeup at school.
- Provide for best use of facilities taking into account current overcrowding and future growth
- Minimize expenses – relocatable classrooms (an ongoing expense), busing costs.
- Minimize disruption to schools and families
- Feeder school boundaries and home-school proximity.

Manager of Research and Planning, Chuck Rosengard, reviewed the comprehensive high school enrollment as a percentage of their capacity proposed for the 2010-2011 school year. With the opening of the 2010-2011 school year, the comprehensive high schools will be at 96.9% capacity, with a project enrollment of 35,823.

New high schools have been constructed historically in the Kern High School District for an average enrollment between 1500 and 2000. Small-to-moderate high schools, such as Shafter High School, have a strong record of success. The most difficult period for a school is the period of reducing staff with accompanying program adjustments. It is evident that parent and community support contributes strongly to successful schools. The enrollment as a percentage of capacity for each of the District's high schools was reviewed with Trustees in a PowerPoint presentation, a copy of which is on file with these official minutes.

There are two options in determining boundary decisions. The first option is a Board Direct Process. This process falls all requirements under The Ralph M. Brown Act. The Board Direct Process includes four options including: interactively drawn boundaries with staff assistance, staff bringing maps/plans for review/alteration, a consultant bringing maps/plans for review/alteration, or a Board Committee bringing plans for review. The second is a Board Reviewed Process, where the Board of Trustees directs the Superintendent to bring a plan or plans back for review approval, alteration or rejection. Under the Superintendent-directed boundary process, a community committee provides plans for review, staff can bring maps/plans for review/alteration, or a consultant provides maps/plans for review/alteration.

Past practice has included balancing community concerns and the negatives of overcrowding, such as the costs of re-locatables and disruption. Practice has included providing parents with information prior to open enrollment and communicating the information one year before the change takes effect.

Trustee Heinrichs asked about the 10-year projections district-wide for the Kern High School District. Mr. Rosengard responded there is an advantage of reviewing K-8 enrollment in Kern County, and declining enrollment is projected for at least the next four years. But student enrollment in grades 4 down to Kindergarten indicates that the enrollment will level off and increase. Trustee Heinrichs reported he is comfortable with a staff process and suggested utilization of the current District Parent Advisory Council to obtain parent involvement. He also suggested that specific reviews be made of Golden Valley High School

and Frontier High School with potential severe overcrowding. He also mentioned the Foothill High School and Highland High School boundaries with the current two-mile walk-in and considering safety issues which have been mitigated with the new freeway interchanges and have safe sidewalks now available for students walking to school.

Superintendent Carter spoke on the development of boundaries and the disruption. For example, adjusting the boundaries at Liberty High School would have additional costs due to double bussing for three to four years, in addition to disruption of current middle school boundaries. He asked for direction from the Board of Trustees with regards to this issue. Trustee Heinrichs reported there does need to be some changes, but the trade-offs of costs and disruption maybe wouldn't justify some of the changes.

**Kern High School
District Budget
Update**

Superintendent Carter reported an update on the State budget was available to give Trustees because school districts have received the first estimate of fiscal stimulus funding, because new released information now projects the State's financial shortfall to be \$31.0 billion; and, because the Governor has released his May Revise.

Federal Stimulus Funding Information

Associate Superintendent Scott provided information on the one-time funds from the American Recovery and Reinvestment Act, including:

1. Title I funding will receive \$2.8 million in Phase I, \$3.4 million in Phase II for a total of \$6.2 million. This will supplement the Title I program offered by District schools and has a very restricted use.
2. The IDEA funding is directed specifically to the Special Education Program and will provide \$6.9 million.
3. The State Fiscal Stabilization Fund will provide \$11.5 million in Phase I. The District is anticipating \$5.0 million in Phase II this Fall. There is also anticipation of a categorical funding through this fund, but the amount is unknown at this time.

Governor's May Revise

In yesterday's May Revise, the Governor has put forth two scenarios. A credible summary of the May Revise, called *The Fiscal Report*, was distributed and reviewed by Associate Superintendent Scott. A copy of that report is on file with these official minutes.

A significant analysis of the Governor's May Revise will take place over the next couple of weeks, and more information will be shared at the June 1, 2009 Regular Meeting. However, Associate Superintendent Scott, reported that the federal stimulus funding will not cover the reductions anticipated by the Kern High School District. "As we enter into the next school year, all of our plans will be based on looking out through the 2011-2012 school year."

**Report on Future
Modernization
Projects**

A report on future modernization projects was presented by Associate Superintendent Scott and Jack "Woody" Colvard, Director of Facilities Planning. Those projects include the Arvin High School Modernization Project, East Bakersfield High School Modernization Project, and North High School Modernization Project. He also shared the site plan sketch for the New Continuation High School to be constructed on East Belle Terrace.

ADJOURNMENT

Adjournment

President Heinrichs adjourned the Special Meeting of May 15, 2009 at 12:05 p.m.

Joel Heinrichs, President

William R. Perry, Ed.D., Clerk Pro Tem

JH/JBB:bs