

MINUTES
CLARK COUNTY SCHOOL DISTRICT
SPECIAL MEETING OF THE BOARD OF SCHOOL TRUSTEES
EDWARD A. GREER EDUCATION CENTER, BOARD ROOM
2832 E. FLAMINGO ROAD, LAS VEGAS, NV 89121

FACILITIES WORK SESSION

Tuesday, November 18, 2008

9:05 a.m.

Roll Call: Members Present

Mary Beth Scow, President
Terri Janison, Vice President
Carolyn Edwards, Clerk
Sheila Moulton, Member
Ruth L. Johnson, Member

Members Absent

Shirley Barber, Member
Larry P. Mason, Member

Dr. Walt Rulffes, Superintendent of Schools

Also present were: Bill Hoffman, General Counsel, Legal Department; Dr. Lauren Kohut-Rost, Deputy Superintendent, Instruction Unit; Jeff Weiler, Chief Financial Officer, Finance and Operations Division; Dr. Karlene McCormick-Lee, Associate Superintendent, Superintendent's Schools; Paul Gerner, Associate Superintendent, Facilities Division; Tim Strucely, Director IV, Planning and Design Department, Facilities Division; Sharon Dattoli, Director II, Demographics, Zoning, and GIS Department, Finance and Operations Division; Monte Bay, Academic Manager, Superintendent's Schools; Cindy Krohn, Executive Assistant, Board Office; Lisa Chrapcynski, Administrative Secretary II, Board Office; and Stephanie Gatlin, Transcriber/Recording Secretary, Board Office.

ADOPT AGENDA

Adopt agenda, except move Item 3.04 to follow Item 3.05.

Motion: Janison Second: Edwards Vote: Unanimous

PUBLIC HEARINGS/RESPONSE TO PUBLIC COMMENT

Extension of the 1998 Capital Improvement Program, 1998 Capital Improvement Plan – Draft Revision 13, Capital Master Plan Update, Future School Zoning Options, and Future Architect Selection Process – Kevinn Donovan

Mr. Donovan submitted questions, for the record, that he had discussed with Mr. Weiler. He commented on the extension of the capital improvement program, suggesting that the \$200 million for lifecycle replacements and upgrades should be used for modifications to older schools such as Lamping Elementary School.

PUBLIC HEARINGS/RESPONSE TO PUBLIC COMMENT (continued)

With regard to future zoning options, Mr. Donovan spoke in opposition to the scenario and suggested the district should be looking at bussing costs before scenarios are proposed. Concerning the architect selection process, he stated any revisions should still include the bidding process and not be merely based on a grading of the architects.

Future Architect Selection Process – Brad Schulz, JMA Architects; Tom Foster, Professional Design Associates

Mr. Schulz spoke positively regarding the architect selection process, but he noted the prototype architects that are being excluded from the process are not in the tier 1 group. He asked that JMA Architects, as a prototypical architect, be considered for the modernization work and not be excluded simply because of their potential to do work in the next several years based on the present outlook.

Mr. Foster stated he believed there were significant improvements being proposed for the selection process. He stated the selection process needs to continue to have an objective evaluation to the responses to the Requests for Quotation (RFQs). Lastly, he stated an appeal process needs to be in place.

Trustee Edwards asked that Mr. Gerner speak with Mr. Donovan regarding the selection process.

APPROVE EXTENSION OF THE 1998 CAPITAL IMPROVEMENT PROGRAM

Approval regarding the extension of the 1998 Capital Improvement Program, including the modernization/renovation program and plans for completion, as recommended in Reference 3.01.

Mr. Weiler pointed out that the \$200 million referenced by Mr. Donovan is programmed for specific projects as laid out in Reference 3.01. He stated there is a plan in place for the modernization program.

Mrs. Moulton asked if the district would be considering laying off employees as this bond program moves forward.

Mr. Weiler stated yes, bond-funded positions are being looked at. He stated there is additional revenue in the program that could be applied.

Mrs. Moulton asked if the district had made those employees in bond-funded positions aware of the potential termination of their positions.

Mr. Weiler stated there are concerns among employees and staff, and staff is moving forward with care and caution.

Mrs. Moulton asked when other revenue sources would be integrated into this fund.

APPROVE EXTENSION OF THE 1998 CAPITAL IMPROVEMENT PROGRAM (continued)

Mr. Weiler stated there may be another revision to this program between now and next year, which could include the additional revenues.

Trustee Edwards questioned whether or not the district would want to keep funds separate that come in after the 1998 bond timeframe. She asked what would happen to the construction contingency balance.

Mr. Weiler stated once all the schools get bid, there would be a clearer picture, but those monies are kept there for unforeseen contingencies.

APPROVE 1998 CAPITAL IMPROVEMENT PLAN—DRAFT REVISION 13

Approval regarding the draft version of Revision 13 to the 1998 Capital Improvement Plan, as recommended in Reference 3.02.

Mr. Weiler stated Revision 13 was presented to the Bond Oversight Committee (BOC) last month; some changes were made, and it will go back to BOC this Thursday; and it will be brought back to the Board in December for adoption. He briefly went over updates and changes.

Mrs. Moulton wondered if there would be any operational costs after the Smith Center opens.

Dr. Rulfes stated the Smith Center is owned by the city of Las Vegas so the Memorandum of Understanding (MOU) would be with the city of Las Vegas. He explained that the district has made no commitment to operational costs other than the busses that would transport students for field trips and similar situations.

Mrs. Moulton asked if the dollar amount of \$7.6 million for elementary schools was specifically for the four new prototype elementary schools.

Mr. Weiler stated this amount was previously programmed for these schools.

Mrs. Moulton pointed out that instead of decreasing costs, she believed the prototype architects increased the square footage, thereby keeping the costs the same, which was of concern to her. She stated the district should be utilizing the career and technical academy (CTA) facilities through partnering with city entities and community colleges.

Mr. Bay stated it was staff's goal to expand the hours of use of the building. He explained that had been started in the northwest with the media program at the College of Southern Nevada (CSN) campus. He stated an academy-type summer program had been piloted this summer, which was scheduled to be expanded to all three CTAs next summer. He stated as the demand increases, the program would be expanded out into two summer sessions.

APPROVE 1998 CAPITAL IMPROVEMENT PLAN—DRAFT REVISION 13 (continued)

Mrs. Moulton asked for an explanation of the sentence on page 2 of 3 of Reference 3.02, "Delete the project for additional classrooms at Southeast Career and Technical Academy."

Mr. Weiler stated there are challenges with this facility, and original plans have evolved to meet those challenges.

Mr. Gerner explained that the prototype architects were asked to reduce square footage cost by 20 percent, and that staff agreed to program changes which added approximately 8.5 percent to the square footage of the building and would be an approximate 11 percent benefit to the district. Referring to the Southeast CTA, he explained staff's rationale for the focus and direction in developing the CTA.

Mrs. Moulton stated she would hope that staff is working with the principals in identifying the needs of the schools.

Mrs. Janison asked if the funds being spent on the Construction Management at Risk (CMAR) are necessary at this time.

Mr. Gerner deferred to the Instruction Unit with regard to the necessity. He added the Board may want to consider that once a guaranteed maximum price (GMP) is set, generally there is no increase in costs.

Mrs. Scow wanted assurance that the Board would receive the BOC minutes before the next work session to allow adequate time for review.

Trustee Edwards requested a list of the changes to the CTAs.

Mr. Gerner offered to provide that information to the Board.

Trustee Edwards stated there would need to be a discussion in the future regarding the district's need to continue developing CTAs and the costs associated with that.

Dr. Rulfes stated the district would simply measure the demand as that information comes forward.

Trustee Edwards stated she believed there should also be an evaluation of the costs per student. She asked if the understanding with the Smith Center would include the use of the facility by the school district at no charge.

Mr. Weiler stated that would be an issue that would be worked out in the MOU. He stated he believed the Smith Center's intent was to offer services to the public, school children, and teachers.

APPROVE 1998 CAPITAL IMPROVEMENT PLAN—DRAFT REVISION 13 (continued)

He added the district may have to cover operational cost, cleanup, or staffing if an event were held there for the CCSD students.

Dr. Rulffes stated there is a portion of the facility, specifically 90,000 square feet, that would be available to be used by CCSD at no charge, but there may be areas, such as the auditorium, that would include discounted costs.

Trustee Edwards cautioned that the district should be clearly aware of what the return would be for its investment in the Smith Center.

Mr. Weiler stated this capital contribution gives the district access to a facility that would otherwise be impossible to gain.

Trustee Edwards agreed that the CTA facilities should be fully utilized but clarified that as other entities are allowed to use the CTAs, the district would be charging a fee.

Mrs. Johnson reported on the recent Debt Management Committee meeting as it related to the partnership for the Performing Arts Center, stating the question of whether this was the appropriate time to move forward with the partnership was raised, considering the economic position Southern Nevada is facing. She stated it was approved unanimously. She cautioned the district to be cognizant of the timing of the commitment to this project. She stated the list before them indicated, in her opinion, benefits primarily for higher education. She suggested the Board and district staff should be proactive in developing a list of initiatives they would like to have realized in this program. She asked if higher education was a partner in this program and what their investment was.

Dr. Rulffes suggested that the Smith Center staff give the Board a presentation highlighting the efforts of the program. He stated the Smith Center, in his opinion, would be a positive long-term investment.

APPROVE CAPITAL MASTER PLAN UPDATE

Approval regarding the status of the Capital Master Plan, as recommended in Reference 3.03.

Mr. Strucely presented the capital master plan update to the Board. His presentation included the master plan schedule, the three-step modernization planning process, thoughts on the proper use of data, factors that will affect decision-making, and options for directing our resources.

Mrs. Johnson asked why schools are being placed on the list for a review after only four years as opposed to 10 years.

Mr. Strucely stated staff chose to look at schools after four years to be able to assess systems before they need replacement or repair.

APPROVE CAPITAL MASTER PLAN UPDATE (continued)

Trustee Edwards asked if cuts in the budget for maintenance were being considered in this program.

Mr. Strucely explained there is a component of the software that sends the maintenance items being discovered through the surveys to the maintenance department.

Trustee Edwards stated she was referring to the regular maintenance provided by the district's custodial staff that is increasingly overworked, and the increasing square footage is of concern to her with regard to maintaining the buildings to the degree that they should be maintained.

Mr. Strucely stated that ease of maintenance or low-maintenance finishes would be a design issue, which staff remains mindful of when hiring designers for projects.

APPROVE FUTURE ARCHITECT SELECTION PROCESS

Approval regarding plans for the future architect selection process.

Mr. Weiler stated this presentation was brought forward as a result of questions raised at a previous Board meeting.

Mr. Strucely presented plans for improving the architect/engineer (A/E) selection process. His presentation included an explanation of the current process, input given from the A/E community through the A/E advisory panel, staff's plan for improving the process, and a schedule for implementing the changes.

Mrs. Moulton asked who made up the A/E panel.

Mr. Strucely answered the advisory panel was made up of architects and engineers in the community, and it was completely voluntary.

Mrs. Moulton asked who would be responsible for making the determination of uniqueness or complexity as described on page 5 of 9 of the backup material.

Mr. Strucely stated he would make the decision but would prefer to have some guidelines in writing that would be acceptable to the Board and the BOC.

Mrs. Moulton asked if, over time, there would be some firms that simply work better than others for the district, or were there enough firms that work well for the district that they would be able to be rotated.

Mr. Strucely offered that in his experience and opinion, there would be a subset of firms that would do well with district projects and some that would not.

APPROVE FUTURE ARCHITECT SELECTION PROCESS (continued)

Mrs. Moulton asked if there would be an increase in money or time in the proposed process.

Mr. Strucely stated he believed the proposed process would actually save time and money.

Mrs. Scow asked if there would be a performance evaluation included in this process, which would track performance once the project is underway.

Mr. Strucely guided Mrs. Scow to pages 4 and 6 of the presentation. He stated each firm would be evaluated after each assignment.

Mrs. Scow commented that she believed having a Board member sitting on a committee changes the dynamic of the group and adds a political aspect. She expressed her opposition to having a trustee be a member of a committee.

Trustee Edwards stated she assumed she would not be a voting or evaluating member of the committee.

Mr. Strucely agreed that Trustee Edwards would be an observer on the panel.

Trustee Edwards asked for clarification of the representation on the panel.

Mr. Strucely stated the panel members need to be comprised of qualified members, but that he would prefer that the panel also include members from areas other than the Planning and Design Department.

Trustee Edwards questioned the panel being predominately from the Facilities Division. She suggested looking in other areas for panel members such as the BOC. She stated she would like to avoid any potential bias.

Mr. Strucely stated he would be completely open to balancing the membership of the panel.

With regard to the prototype architects being given the opportunity to participate, Trustee Edwards expressed her desire to be equitable in this process.

Mrs. Johnson asked if the request for prototype architects to be considered for other work was carefully reviewed by staff and if a decision was reached based on a thorough review that included the prototype architects' opportunity to compete for other work and the potential loss of opportunity for them to get involved in other projects while completing the CCSD process.

APPROVE FUTURE ARCHITECT SELECTION PROCESS (continued)

Mr. Strucely stated staff did take that into consideration and concluded that the intent would be to develop a long-term process, and this is not a process that would necessarily adjust to every economic condition. He stated, however, that the Board may want to consider expanding the RFQ universe to include those types of firms for one cycle. He stated it was seen as inequitable to other firms that the prototype firms would be guaranteed work through being selected for the new schools and then be included in the modernization process.

Mrs. Johnson suggested that staff conduct a review of the equality of the process and make a recommendation to the BOC and provide some feedback to the Board of what staff determined. She agreed with the concerns expressed by Mrs. Scow with regard to a Board member sitting on the committee. She asked if this proposed selection process would or should include an appeal process.

Mr. Strucely stated the current proposal did not include an appeal process, and that issue would be included in the review of equality.

Trustee Edwards stated it was her understanding that she would observe the bid review process and not sit on the committee.

Dr. Rulfes clarified that he believed it may help towards instilling an impression of integrity in the selection process for vendors if a trustee were to observe some portion of the process. He suggested a purchasing bid would be best.

Mrs. Johnson wondered if this process would be shared with any professional groups that could endorse this process developed by CCSD. She expressed an interest in observing a bid process.

RECESS: 11:15 a.m.

RECONVENE: 11:26 a.m.

APPROVE FUTURE SCHOOL ZONING OPTIONS

Approval regarding the possibility of future rezoning options for all Clark County School District school boundaries.

Representing the Attendance Zone Advisory Commission (AZAC), Becky Nielson, AZAC chairperson, read a statement highlighting AZAC's position regarding proposed district rezoning and the use of a consultant.

Mr. Weiler stated the use of a consultant may not be advantageous because of the potential cost and the timeline that would be involved.

Mrs. Johnson stated it was her understanding that the Board had previously decided not to enlist the services of a consultant.

APPROVE FUTURE SCHOOL ZONING OPTIONS (continued)

Motion to direct AZAC to use all the seats in the district within economic constraints, and those seats available after those zoning considerations have been made would be open to the Superintendent to develop student choice programs.

Motion: Johnson Second: Edwards

Mrs. Johnson clarified that utilization of all seats would include Prime 6 Schools.

Mrs. Scow reviewed issues from the Board's previous discussion that remain, as follows: utilization of facilities and use of operational funds, leapfrog zoning, creative addressing, open enrollment issues, and the desire to use creativity in solutions.

Mrs. Johnson stated her motion would address utilization of facilities, operational funds, and open enrollment issues.

Mrs. Scow reminded the Board that AZAC does not zone Prime 6 Schools.

Mrs. Johnson stated seats in Prime 6 Schools have been underutilized for a very long time, and requests to have this issue resolved have not been satisfied through any type of recommendation of how those seats could be better utilized. She clarified that she is concerned not with how the seats are used, but that they are used to their full capacity.

Mr. Weiler stated staff is considering a plan for an open enrollment cluster concept.

Mrs. Janison expressed her concerns regarding filling seats under current economic conditions, creative addressing, and policies related to zone variances.

Trustee Edwards expressed her frustration with the issue of Prime 6 Schools. She stated she was concerned with the way in which children are bussed out of their neighborhoods. She stated that there needed to be more than one form of proof of residence to alleviate some creative addressing; that the services of a consultant should not be used; that she is interested in the open enrollment clusters; and that she is adamantly opposed to leapfrog zoning.

Mrs. Moulton stated that the policy may need to be reviewed to address issues and to give direction. She suggested that looking at Prime 6 Schools issues requires strong representation on the Board from that community. She stated she was hesitant to support the motion because she was not willing to make any changes in the middle of the zoning season, and that she believed the way to give direction was through policy.

APPROVE FUTURE SCHOOL ZONING OPTIONS (continued)

Mrs. Johnson expressed an interest in receiving a status report from staff concerning Prime 6 Schools in the first meeting in December. She asked Dr. Rulfes to provide input on how he may plan to institute a districtwide program that would fill seats, such as open enrollment. She requested that staff bring back some proposed policy language that would address creative addressing and make it more rigorous along with a solid recommendation on Prime 6 Schools at the first meeting in December.

Mrs. Johnson withdrew her motion.

Ms. Dattoli explained that staff was looking at open enrollment by clusters or areas for all students K-12 to include the Prime 6 area. She explained the clusters would be grouped by high school boundaries, and the students' assignment would be determined by their geographical address. She further explained the particulars of the concept. She stated the concept would preclude schools from participating for a given year that did not have any seats available; that schools that had seats available would be encouraged to develop programs that would bring students in; and that once an open enrollment application were approved, that student would be in that cluster until graduation unless the family moved to another cluster.

Dr. Kohut-Rost stated there had been a number of changes throughout the district, which makes it difficult to formulate a solid plan to follow for zoning.

Mrs. Janison suggested giving AZAC guidance to move forward with zoning schools this year that would specifically include the new schools scheduled to open.

Mrs. Moulton commented that if Prime 6 Schools are going to be looked at, that review should include the M&M options.

Dr. Kohut-Rost stated, with regard to creative addressing, there are limited resources, which preclude staff from physically going out and checking whether or not someone is actually residing where they say they are. She referred to Regulation 5112 as the only area that outlines what schools should be asking for in terms of proof of address to accept students. She commented that in the past, by mailing home the registration forms, the district received an indicator of the family's residence through their return mail address.

Trustee Edwards commented that she believed the Board was looking for more stringent requirements for families to establish their addresses at the outset. She stated the balancing of seats could be addressed under the current directive set forth in policy. She commented positively on the concept of the open enrollment clusters. She agreed that the Board needs to hear some feedback from staff on Prime 6 Schools.

APPROVE FUTURE SCHOOL ZONING OPTIONS (continued)

Motion to have staff bring policy language back to the Board that would give the Board an opportunity to create and establish guidelines to address attendance within a zone and for staff to bring back a recommendation on Prime 6 Schools in December.

Motion: Johnson Second: Janison

Dr. Rulfes stated the open enrollment cluster concept would require enormous refinement before he could bring forth a recommendation. He offered there may be some technological programs that would help with identifying and policing families using creative addressing.

Vote on Mrs. Johnson's motion was unanimous.

ADJOURN: 12:25 p.m.

Motion: Edwards Second: Janison Vote: Unanimous