



PASADENA UNIFIED SCHOOL DISTRICT

MEASURE TT CITIZENS' OVERSIGHT COMMITTEE

MINUTES of the Citizens' Oversight Committee held on Wednesday, November 18, 2009 at the Education Center, 351 S. Hudson Avenue, Pasadena, CA 91101, in room 240.

PRESENT:

Committee: Joanna Bauer, Carolyn Ellner, Jon Fuhrman, Sid Tyler, Charles Bryant, Gregory Barna, Joel Sheldon, James Kossler, Paul Hunt, Kenneth Hargreaves.

Staff: Steve Brinkman, Wendy Childress

ABSENT:

Carolyn Carlburg, George Fatheree, Arthur Aviles, Lee Johnson

A. CALL TO ORDER

Chairman Sid Tyler called the meeting to order at 5:04 pm

B. PUBLIC COMMENT

None

C. APPROVAL OF MINUTES OF 10-14 MEETING

Carolyn Ellner moved to approve the minutes as amended from the Committee's October meeting. The motion was seconded by Jon Fuhrman and passed unanimously.

D. REPORTS FROM COMMITTEE CHAIRS

1. Outreach - Ms. Ellner

Mr. Fatheree and Ms. Ellner met with the principal of Altadena regarding how to the committee should conduct outreach. The principal suggested that the principals of each school be contacted and explain who and what the Committee is and does.

Committee members are pleased to see that the welcome information on the C.O.C. website is in Spanish and English. Ms. Ellner asked that the Superintendent's message be translated into Spanish as well.

Subject was brought up regarding the District to potentially hire a consultant to do outreach for hiring for projects (contractors big & small, minority, disabled etc); set up program to ensure equality for hiring. Discussion ensued. Staff informed the committee that there is an

RFP in place to for a Local Hiring Consultant. It was also noted that all bid notices, RFPs and RFQs are posted on the C.O.C. website; Mr. Brinkman informed the group how to access this information. Some committee members feel that this particular subject is not a part of the Committee's scope and some feel it is. Mr. Bryant expressed concerns that the current RFP for a Local Hiring Consultant may not adequately require experience in hiring minorities, persons with disabilities or veterans another member stated that the only way this is in the scope of the Committee is if bond dollars are being used to pay the consultant. The Lease Leaseback RFP for Blair was also discussed.

Open for further Discussion: Does the Committee want to look at the local hiring language of the RFQ and what it proposes? Chair Tyler asked the Outreach Committer to meet again and prepare a written recommendation.

2. Liaison to PUSD Facilities & Capital Subcommittee - Mr. Fuhrman

It was reported that at the walk through of Washington Middle School there was discussion of building a 20,000 square foot community center on site for the community. This would be funded largely through non-TT sources such as community partnerships, the City and others.

3. Measure TT Project Reporting -Joel Sheldon

The decision was made to have 2 monthly presentations:

1 Consolidated Expenditure Report at each meeting (some members mentioned they would like to see the entire report from time to time, quarterly or semi-annually).

2 Projects Out to Bid Summer 2009 Report: this is a report is kept outside of Account-Ability Program so that everyone is kept abreast of what is current

It was discussed that there is a need for a summary update, which will be done via PowerPoint presentation and presented quarterly. It includes a narrative that summarizes the soft cost ratio report, which looks at administrative and other cost.

Administrative and non-project costs charged to Measure TT will be looked at once a year or semiannually vs. budget.

A time line will be provided which outlines what reports will be reviewed quarterly, semi-annually, and monthly.

Staff noted that they are applying for a CTE grant for 3 million dollars for the kitchen project and a 4 million dollar stimulus grant for Energy Conservation Measures (ECM) in 2010. It was noted that you do not get additional funds unless you get bond money.

Committee members expressed a desire to track project costs and anticipated cost overruns. It was mentioned that change orders submitted to board is an indicator that there is a problem. A change of 5% was suggested as reporting criteria for the C.O.C.

Conclusion: This subcommittee will try to present a complete package (including sample reports) that is clear and concise. Project changes that are submitted to the board will be documented and reported.

Question was raised about the name of the "Out to Bid" Report. It was suggested that the name is not clear and should be changed to state accurately what is presented in the report. One suggestion for the report was "Awarded or Out to Bid". No final decision made.

E. DISCUSSION/PRESENTATION ITEMS

1. Update from Staff on Facilities Plan

Staff presented a two-page document that summarizes where district is on various projects. There was a request to have in the minutes how to access this information on the website. Staff informed the committee that the updates are found in the minutes posted on the site by school.

It was noted that a connection will be made between the Measure TT and the C.O.C. on the site. The new tab will read Measure TT/C.O.C./Bids. One member noted that there is a typo on the Vendor Registration page.

F. INFORMATION ITEMS

1. Discussion of Committee's scope of work - Mr. Fuhrman (Attachment A – Scope of review, authority, and responsibilities to the public)

The above document was discussed and the following was concluded:

Item 1: Committee agreed that it is exclusively the responsibility of the Board and its Facilities Committee to prioritize projects, changes in project scopes and the need for various projects. However, monitoring approved projects and change orders is within scope of committee.

Item 2: Committee agreed it is not the C.O.C.'s responsibility to look over the Facilities Master Plan and review the District's choices of projects in light of current student enrollment and the State's plan to reduce funding over the next year. This is the Board's responsibility.

Item 3: Committee agreed it is not within the scope of the C.O.C. to review the proposed closures, disposal and alternate uses of District facilities being considered by the Board's Asset Management Committee. However, sorting through and reporting this process is within the scope of the C.O.C.

Discussion ensued regarding Measure TT monies being spent on maintaining schools not in use or being used as charter schools. It was suggested that the Committee would want to highlight expenditures from Measure TT bond funds on assets in Phase II sites.

Conclusion: Reporting bond expenditures by asset class is within the scope of the Committee to include changes, phases, and timing.

Item 4: Committee agreed that it is not required that they be presented with the rationale and expected results for each major project going before the Board for approval. It was decided that Committee members could ask questions as needed to staff but no formalized briefing of projects need to be presented at meetings.

Item 5: The C.O.C. does not have the right/authority to shape or comment on the scope of Independent Performance and Financial Audits of Measure TT spending and the District's compliance with the provisions of Prop. 39. It was stated that making sure TT funds are spent on designated projects is within the scope of the Committee. Discussion ensued.

Conclusion: The C.O.C. has no right to direct or control the audit; but it has a responsibility to report to the Board if a project or spending is off track. The CFO and the Chief of

Facilities work together to commission audit. The Committee would like to participate to ensure the audit is designed properly in scope, but it recognizes that this is the District's responsibility.

Item 6: Mr. Fuhrman recommended the following:

- The C.O.C. should not delve into the written Policies and Procedures governing the District's Construction Management Systems; however, understanding/commenting is in scope.
- Audit compliance with the policies/procedures is out of scope for the committee. It should be done through the Financial and Performance Audits by the Auditors, rather than by the Committee.
- Reviewing Auditor's assessment of compliance with policies and procedures is in scope.
- Having Facilities staff periodically present details of internal controls and management practices is in scope.

The Committee agreed with Mr. Fuhrman's recommendations.

Item 7: The Committee agreed that reviewing staff reports on local hiring and selection of local contractors is not within its scope. It would like to be kept posted on the local hiring, but it is the responsibility of the Board to receive and act on these reports.

Item 8: Review or approval of contractor selection/bid process for multi-million dollar projects such as Sierra Mesa Middle School is out of scope for the C.O.C. However, understanding the bidding/selection process is within the scope of the Committee.

Final question: What are we doing when we go to the schools?

Conclusion: Based on consensus of members present, the Committee can draft a set of talking points regarding what the Committee is to address, what the Committee is to take to the Site Councils and who the Committee can talk to or go to with issues that are outside of its scope.

Mrs. Ellner and Mr. Fuhrman agreed to compile talking points to bring back to the Committee for its review, input and approval.

The Chairman suggested that Mr. Fuhrman's Scope of review, authority, and responsibilities to the public be accepted adding to this document that the Committee's scope includes having individual members attending School Site Council meetings periodically.

James Kossler moved that this document be accepted with the addition. The motion was seconded by Carolyn Ellner and passed unanimously.

2. School Assignments - Mr. Fatheree

Staff for final review distributed the School Assignment list composed by George Fatheree (list below). Ken Hargreaves moved that the assignments be accepted as listed. The motion was seconded by Gregory Barna and passed unanimously.

Aviles, Arthur: Jackson, McKinley

Barna, Gregory: Burbank, Loma Alta

Bauer, Joanna: Norma Combs, Field

Bryant, Charles: Eliot, Washington Accelerated

Carlborg, Carolyn: Jefferson, Rose City

Fatheree, George: Altadena, Roosevelt

Ellner, Carolyn: Madison, Sierra Madre Middle School

Fuhrman, Jon: Marshall, Don Benito

Hargreaves, Kenneth: Hamilton, Washington Middle
Hunt, Paul: Blair, Pasadena High
Johnson, Lee: Longfellow, San Rafael
Kossler, James: Willard, McKinley
Sheldon, Joel: Cleveland, John Muir
Tyler, Sid: Franklin, Webster

G. REQUESTS FROM MEMBERS FOR FUTURE AGENDA ITEMS

None

H. ADJOURNMENT

Meeting adjourned at 6:50 p.m. by Chairman Tyler
Next meeting January 20, 2010