



PASADENA UNIFIED SCHOOL DISTRICT

MEASURE TT CITIZENS' OVERSIGHT COMMITTEE

MINUTES of the Citizens' Oversight Committee held on Thursday, September 17, 2009 at the Education Center, 351 S. Hudson Avenue, Pasadena, CA 91101, in room 240.

PRESENT:

Committee: Carolyn Carlburg, James Kossler, Paul Hunt, Carolyn Ellner, Charles Bryant, Jon Fuhrman, Lee Johnson, Sid Tyler, Gregory Barna, Kenneth Hargreaves, Arthur Aviles, Joel Sheldon.

Board Member: Ed Honowitz.

Staff: Steve Brinkman, Wendy Childress, Teri Castaneda, Tendaji Jamal

District Counsel: Terry Tao

ABSENT:

George Fatheree, Joanna Bauer

A. CALL TO ORDER

Chairman Sid Tyler called the meeting to order at 5:02 pm.

B. PUBLIC COMMENT

Mary D. Romney had issues with the use of surplus space. Ms. Romney stated there were seven surplus sites, which have now grown to 15, and that Education Code 17527-17535 specifies the process for handling excess space. She stated that there was a bad example being set in the District on the use of excess space. Ms. Romney also brought up Proposition 39.

There were no additional public comments at that time.

C. APPROVAL OF MINUTES OF 8-20 MEETING

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

D. ADMINISTRATIVE ITEMS

1. Approval of Oversight Committee's Draft First Report to the Community

There was discussion on the process of finalizing this report. It was suggested that the draft of the Oversight Committee's Report be presented to the board and public formally prior to accepting it as final. It was stated that this topic has to be slated on the Board's agenda in order to be presented at the Board meeting. There was discussion on presenting it at the Board meeting

scheduled for September 22nd however; the Committee was informed that the agenda for this meeting was already set for next. Committee members expressed concern about their responsibilities and powers as an Oversight Committee. It was agreed that clarity is needed on the Brown Act Publication requirement so that the Committee can operate within the guidelines.

It was agreed to have the C.O.C. report placed on the Board's October 13th agenda.

The Committee discussed the expected date of the C.O.C. website going live and acceptance of the draft of the C.O.C. report. Mr. Kossler moved that the draft be accepted with the addition of the date to go live. Mr. Fuhrman seconded it, one opposed motion was approved by a majority vote. The C.O.C. report now becomes a public document. It was noted that the webmaster will only accept updates/documents from Mr. Brinkman or Ms. Childress.

2. Process for selecting a replacement member

It was noted that there were fifty-one applicants during the initial process and a panel of four had conducted the interviews. Committee agreed to continue with the process and applicants already in place.

It was noted that it is the Board's responsibility to appoint C.O.C. members. Article 5.3 states that the Superintendent shall nominate a candidate and the Board will review the nomination and either accept or reject it.

E. DISCUSSION/PRESENTATION ITEMS

1. It was recommended that a subcommittee be set up to represent the Committee as it relates to the Account-Ability Tracking System. Ms. Ellner moved that Mr. Sheldon represent the Committee and Mr. Barna seconded the motion. The thought is that it would be good to have someone with the background and experience with such software/systems to serve as a liaison so that reports generated could be tailored in a form that the Committee could clearly understand regarding the expenditures of Measure TT. It was suggested that a second person assist with this task and Mr. Fuhrman volunteered and there was no objection from the Committee.

Mr. Tao suggested to the Committee to print out the largest most comprehensible report first and then tailor it to include the information that is relevant for their purposes.

F. INFORMATION ITEMS

1. Report from Outreach Subcommittee

Ms. Ellner reported that a member of the Seville Construction Company staff has been working for over a month on the C.O.C. website. They presented a rough draft of the site on Tuesday, September 15th.

The interim C.O.C. website address is www.sevilleconstructionservices.com/clients/pusd.

Ms. Ellner conducted a website presentation with the group and asked for feedback by September 22nd. Comments and suggestions should be given to Ms. Ellner so that the site can go live on September 25th. The final website address will be www.measurett.org.

It was suggested that there be interaction with the parents and students on the site. In addition, the site should include the goals of the District, information on minority owned, veteran owned and women owned businesses. The Committee would like to reach as many people in the

community as possible and it was suggested that it works with the Communications department to reach its goal.

Questions/concerns arose regarding Seville Construction Company designing the website when they are not a website/graphic design company. It was reported by staff that there was no progress getting it done internally so there was a need to go outside and Seville was contracted as they had designed five C.O.C. websites. Discussion regarding this issue ensued. It was stated that the monies to set-up and maintain this site was not coming from Measure TT funds but Asset Management funds. The cost of the site was \$5,000 and there would be a fee for maintaining it if it were hosted by the designer. It was stated that there should be a note on the website stating that Measure TT funds were not spent on this site. Mr. Brinkman indicated that Seville could maintain the site, if needed. District staff (Communications Department) is overloaded and they prefer that someone else maintain it. The Committee took no action.

Caution should be exercised as it relates to Seville Company's ongoing relationship with the C.O.C./District. Some committee members had an issue with Seville, a construction company interested in a construction contract with the PUSD, should be given the opportunity to provide an ancillary service to the district that may give it an advantage over other contractors, and thus corrupt the bidding process.

This issue might need to be agendized.

2. Report from Liaisons to Facilities and Capital Subcommittee

There was an extensive presentation on the Central Kitchen. The cost is \$9,000,000.00 less than what it would cost to refurbish all of the kitchens. The Asset Management Committee looked at 16 sites from the original Facilities Master Plan recommendations and recommended 10 be reviewed for alternative use. The Facilities Subcommittee added back 5 for a total of 15. There will be RPF going out for firms that will do asset management study.

3. Facilities Master Plan First Quarterly Report

Mr. Brinkman provided various documents that include details of the Facility Master Plan by site, cost analysis that was requested by the group to display hard to soft cost ratio, other documents and a PowerPoint presentation. Mr. Brinkman noted that the District has worked on over 80 projects to date. It was also noted that Mr. Honowitz, Mr. Miramontes, and Mr. Selinske must approve requests for Capital Addition/Substitutions. Revisions to the Facilities Master Plan go before the Board and the Board determines what happens with any monies left over from projects. A Master Facilities Plan revision will take place in approximately December.

All capital projects will be captured in Account-Ability. There was discussion regarding the architectural footprint on the community when spending \$479 million in construction. The goal is to make sure it is architecturally sound and unlike Measure Y.

(Mr. Tyler, Chair had to leave 6:40 p.m. and appointed Mr. Fuhrman to conduct the meeting in his stead)

Photo gallery on C.O.C. website can and will contain pictures of modernizations. Plans/renderings should be put out there ASAP so that there is no surprise to the community. The Facilities department link should be clear on the site as well.

Air conditioning in theaters and auditoriums was an issue raised. The thought was that all

schools should be air conditioned—the District hopes to do this but cannot guarantee it.

4. August 18 PUSD Press Release on Measure TT projects completed

It was stated that the District press release was very good.

5. Attorney presentation of activities of an Oversight Committee under Proposition 39

Mr. Tao discussed the role/responsibilities of a C.O.C. Their responsibilities are to inform the public of the expenditures of bond proceeds. Mr. Tao provided a handout that included the Oversight Committee Statutes, Authority, and Responsibility to the Public. He noted that exhibit A includes the by laws.

Mr. Tao noted that Section 2 is important to C.O.C. for a few reasons because it explains how funds are not to be used.

Purview of Measure Y was much broader and this is part of the issue but the Bylaws state the purpose of the Oversight Committee (Sec. 2 exhibit B).

The Facilities Subcommittee's responsibilities are listed in Exhibit C and are:

- Provide an environment for extended research and discussion of issues that allows staff to vet ideas and suggestions before making final recommendations
- Prioritize available resources and projects for recommendation to the Board
- Participated in consultant selection for major strategic projects
- Identify opportunities for lease income
- Ensure Board member awareness and understanding of project priorities, funding, and goals of the facilities programs

(Subject to Brown Act)

Language on the C.O.C's website needs to be changed because it does not reflect what it is the C.O.C. is actually charged with doing.

G. ADJOURNMENT

7:30 pm motion to adjourn by Mr. Barna. Mr. Kossler seconded the motion.

Meeting adjourned by Mr. Fuhrman

Next meeting ~~Wednesday, October 21, 2009~~; date changed to October 14, 2009