



**PASADENA UNIFIED SCHOOL DISTRICT (PUSD)  
CITIZENS' OVERSIGHT COMMITTEE (COC) MEETING  
Meeting Minutes of April 19, 2017**

**Location:** Pasadena Unified School District Education Center, Room 229, 351 S. Hudson Ave., Pasadena, CA. 91109

**Date & Time of meeting:** April 19, 2017 at 6:30 p.m.

**Present:** Quincy Hocutt, Clifton Cates, Glen DeVeer, Diana Verdugo, Willie Ordonez, Jen Wang, Steven Cole, Joelle Morisseau-Phillips, and Mikala Rahn.

**Absent:** Chris Romero, Derek Walker, Geoffrey Commons and Gretchen Vance.

**Pasadena Unified School District (PUSD) Board Member Board Liaison:** Pat Cahalan was absent. His substitute was Kim Kenne, President of the PUSD Board of Education

**PUSD Staff:** Miguel Perez, Construction Specialist attended, sitting in for the absent Nelson Cayabyab, Chief of Facilities, and Nadia Zendejas, Executive Secretary.

**I. CALL TO ORDER**

*Mr. Cates*

The meeting was called to order at 6:30 PM

**II. Approval of meeting minutes for February 15 and March 15, 2017**

*Mr. Cates*

The February 2017 and March 2017 draft meeting minutes were not distributed with the agenda. Therefore the COC members did not have adequate time to review the minutes before voting for approval. A Committee vote for approval was deferred until the May meeting.

**III. BUSINESS**

**A. Current state of preparation of meeting minutes**

*Ms. Wang*

Mr. Cates noted that the District failed to include the minutes with the Agenda that was distributed. Most of the documents referred to in the Agenda were not included despite the COC's specific request. It was also noted that the District had not posted the Agenda in a timely manner as required by the Brown Act.

There were several comments on the District's current lack of necessary and required administrative support to the COC. The following questions were posed: Why has the Chief of Facilities withdrawn administrative support to the COC as required by law? Why is the Chief of Facilities not attending the COC meetings? Mr. Perez was unable to provide an answer to these questions.

The COC members agreed that the Chief of Facilities and the Executive Secretary should attend the COC meetings, as has been the customary and required practice. Several options to resolve the District's lack of necessary administrative support to the COC were discussed; among them was a proposal to send a letter to the Board of Education, to the Facilities Committee and to the District Superintendent.

**ACTION:** Mr. Cates is to send a letter to Mr. Cayabyab asking that the executive secretary be returned to the COC meetings to provide administrative support, as is required by law and as agreed to by the District.

Ms. Wang clarified the process of preparation and submittal of COC Minutes: the COC Minutes Committee should receive a first draft of the minutes by the District Staff within one working week after the meeting; then a modified draft would be sent out to all COC members for their review. That draft is aided by the presence of the verbatim transcript provided by District Staff. After two weeks, when comments are received back and incorporated by the Minutes Committee, a final draft is sent to Facilities for inclusion with the agenda. These minutes are included with the agenda to be voted on for approval at the next COC meeting.

**B. Proposition TT Financial Report: objectives, current status, problems, required action**

*Mr. Hocutt*

i. Objectives

Mr. Hocutt revisited the content and importance of “*Executive Summary – Status of Measure TT*” report that he had previously presented to the members and submitted to Facilities for its preparation. This new report would provide an executive level summary of projects in work chargeable to Measure TT and it has been discussed extensively with District Staff. The proposed report would tell the Board of education and public where the District stands financially with respect to each Proposition TT-funded project by showing key items of information:

- The original amount budgeted
- The current budget (which will necessarily include all changes to the current budget)
- The amounts expended to date (including current commitments for expenditures not yet made)
- Percentage of completion
- Estimated date of completion
- Estimated remaining cost of completion
- Estimated total cost of construction
- Total estimated cost compares with the most recently budgeted amount
- Whether budget changes were approved by the Board
- Identification of contractors and program managers
- Identification of the Project Manager.

Mr. Cates noted that the COC and the Board can be overwhelmed with the massive amounts of data currently provided to them by the Facilities Department, that the COC, the Board, and the public need a clear, concise executive summary showing what each project was supposed to be, where it currently stands, and where it is heading. The COC has been requesting this information from the Facilities Department since February.

District staff noted that they had responded with some questions about the report. Mr. Quincy stated he would work closely with Staff to ensure an understanding of what is required and how to achieve it. Staff committed to provide the requested report once they understand.

ii. Meeting with Facilities Dept. on April 4, 2017

It was reported that the COC Audit Committee had met with District Staff on April 4 to discuss the preparation of the Executive Summary report. Questions still remain, and as noted above the COC is willing and able to meet with Staff to work together in making the report happen.

iii. Response of Facilities Department and reply of COC

Mr. Perez provided the COC members with a report identified as “*Remaining MTT Budget & Commitments (based on expenditures to 3/4/17)*” including the following data items for each project:

- \* FY 16-17 Remaining Encumbrances,
- \* Final Budget after Encumbrances (FY 16-17 thru 2020),
- \* Total MTT Cash required, and the Construction Completion percentage (including the initials of the Project Manager responsible for it).

This report is not a substitute for the report that the COC wishes to create.

Mr. Perez affirmed Staff’s commitment to provide COC the requested Financial Report as per COC’s template, and noted that there are things that need to be clarified and agreed upon to provide a report with the precise content the COC is asking for.

iv. Current state of affairs

The COC is waiting for the District to provide the information the COC has requested from the Facilities Department. Facilities has asked the COC to provide clarification on several topics and the COC has agreed to meet with Facilities staff to resolve any questions they may have.

**C. Review of sample “Needs Assessment”**

*Mr. Hocutt*

Mr. Hocutt reviewed the Franklin Elementary School Assessment Report prepared by PJHM Architects and highlighted several issues he thought were relevant.

Mr. Hocutt noted that at the April 13, 2017 Board of Education special meeting, the Chief of Facilities (Mr. Cayabyab) asked the Board to prioritize projects to be completed within the approximately \$126,000,000 still remaining in the measure TT Fund. Mr. Cayabyab has presented the Board a list of school projects with priorities proposed by District staff. The Board has been asked to prioritize projects to fit within the available funds.

Mr. Hocutt noted as an example that the Franklin Elementary Facility Needs Assessment included urgent roof repair work that was needed in 2016, but no funds for that purpose are included in the April “Spend-out Plan” proposed by the Facilities Department. Mr. Quincy asked: “What was the purpose of the needs assessment?” The Committee asked why the District should perform a needs assessment, at a high cost, if it is not going to use that information to allocate funds for repairs. Ms. Kenne suggested and hopes that if a needs assessment is to be done for a school, that budget should be separated from the construction budget for visibility.

The use of TT funds to prepare a “needs assessment” was also questioned by several members. Mr. Perez showed the text of the Measure TT Ballot, suggesting that planning costs, like the Facility Needs Assessments, are part of allowable TT expenditures

It was also requested by the Board member that when the project budget format is revised, the descriptions of the projects should be enhanced so that it is clear what the project actually is. It was also requested of Staff that in the eventuality of project priority changes (such as emergencies), that the budget reports make clear what projects have been reduced or supplanted to provide budget for the new priority.

Decision: It was agreed to submit to the COC’s independent legal counsel an inquiry as to whether or not it is legal to pay for a project’s needs assessment out of current TT funds when the project itself must be funded from a future bond fund. A second question to be asked is whether it is legal to pay for a new Facilities Master Plan including such future project out of Measure TT funds.

**D. Current status of proposed expenditures for the 3 athletic tracks (Board Reports 1172, 1173, and 1177)**

*Mr. Hocutt*

- i. Law requiring separate bids (promised by Facilities on March 15, 2017)

Mr. Perez informed the COC that he had not found any laws requiring that similar projects should be bid separately.

ii. Current status

The design and construction of the three athletic tracks was not approved in the March 31, 2107 Board meeting, even though they are now included in the list of Projects submitted to the Board for their review and approval.

It was noted during this discussion that many of the questions raised in a particular COC meeting by the Committee are not followed up and answered by Staff in a timely manner.

**E. Uniform Standards for Proposition TT expenditures** *Mr. Cayabyab, Mr. Cates*

i. Member-recommended changes

Some comments have been received. Mr. Cates asked that if members have suggested changes, they should make them to the existing draft. In this manner, the Committee can arrive at a final language for the document. In preparing these standards, the COC welcomes the input of the Board and the Facilities Department, although the Chief of Facilities has previously stated that no such standards are needed, that the text of Proposition 39 is sufficient.

ACTION: Mr. Cates will re-send the document to the committee with a due date.

ii. Final adoption

The approval of the proposal for a “Uniform Standards for Proposition TT Expenditures” was deferred until the next meeting

**F. Uniform procedures to insure timely Committee and Board review of proposed Proposition TT expenditures** *Messrs. Hocutt, Cates, Cayabyab and Cahalan*

i. Prior recommendations

1. Possible change of COC meeting date to precede Facilities Committee Meeting. The Committee did not arrive at a better COC meeting date than the one that current exists at this time.

Decision: It was decided to defer any action until the new Board of Education members are sworn in and any possible schedule changes they may make are implemented.

2. Other steps to insure that the Board has an ample opportunity to consider the COC’s recommendations.

ii. Current status

The COC meetings are held less than 24 hours before the Facilities Committee meeting. Members of the COC believe that this short period gives the Facilities Committee insufficient time to evaluate the COC’s recommendations. It was recommended that suggestions and comments from the COC regarding items to be

discussed at the Facilities Committee be e-mailed to that Committee before their meeting and that the COC representative at the Facilities Committee read those notes aloud and into the record. The Facilities Committee materials are usually posted only 72 hours in advance of their meetings; so COC needs to meet and act within that time period.

**G. Recommendations for spending the remainder of Proposition TT funds** *Mr. Hocutt*

The selection and priority of projects to be charged to Measure TT is a decision of the Board of Education, not the COC.

**H. Review of newly-proposed Proposition TT Expenditures** *Mr. Hocutt*

No Board Reports were submitted for consideration by the COC at this meeting.

**I. Report by the Chief of Facilities** *Mr. Cayabyab*

Mr. Perez informed the Committee that the contracts for the various Project Managers (paid as independent consultants and included within a project's expenses) will be renewed in May-June.

Mr. Perez provided six (6) sets of reduced copies of the Facilities Master Plan of April 13, 2017, (*also referred to as the "spend-out plan"*) and informed the Committee that the complete document had already been emailed to all the COC members, and that it was available on line.

**J. Committee membership** *Mr. Cates*

i. Reappointment of members with terms expiring February 28, 2017

All existing members who wanted reappointment were reappointed by the Board.

ii. Current status of solicitation and appointment of new members

No information was available from the Board with regard to the status of the solicitation and appointment of new members. (Currently there are 11 members of the COC against a maximum of 15 allowed.)

iii. Removal of members for non-attendance

Mr. Chris Romero and Mr. Derek Walker were removed from the COC for non-attendance at the COC meetings.

iv. Status of new member orientation package

Ms. Morisseau-Phillips is to report on actions taken by the membership sub-committee at the next COC meeting.

**K. Report by Board liaison to the COC** *Mr. Cahalan*

Mr. Cahalan was absent; thus there was no report.

**L. Report by COC liaison to Facilities Committee**

*Mr. Cole*

Mr. Cole informed the COC that Mr. Cahalan had reported to the Facilities Committee the comments by the COC on submitted Board Reports.

As discussed previously, the COC will be put on the agenda for future Facilities Committee meetings to provide any reports or comments the COC feels necessary to provide.

**M. Report from site council representatives**

*Ms. Verdugo*

Ms. Verdugo informed the Committee that Dr. Shaw, Chief Academic Officer, gave a speech at Roosevelt Elementary about Educational Processes on Math and English, and thoughts on the transition from middle school to high school.

At Roosevelt there will be construction work in the back alley and the Site Council wants it to be completed as soon as possible. They also want to enlarge the access gate to have a speedier pickup and delivery of the students and they also want to build a new sidewalk.

Mr. Cole informed the Committee that there was a Site Council meeting held at Blair with the neighborhood, the Contractor, the Project Manager and others; at this meeting questions from the community were answered.

Ms. Verdugo informed the Committee that on Wednesdays or Thursdays she would be willing to attend Site Council meetings that others could not attend.

**IV. Public Comment**

There were no public comments.

**V. Future meeting agenda items, dates, and locations**

The next COC meeting will be held on Wednesday, May 17, 2017 at 6:30 P.M. at the PUSD Education Center on Hudson Avenue.

**VI. Adjournment**

The meeting was adjourned at 8:55 PM.