

PASADENA UNIFIED SCHOOL DISTRICT
CITIZENS' OVERSIGHT COMMITTEE MEETING
352 SOUTH HUDSON AVENUE, ROOM 229
WEDNESDAY, AUGUST 16, 2017
6:30 P.M.

REPORTED BY:

SHERYL WILLIAMS, CSR 7453

1 MEMBERS PRESENT:

2

3 CLIFTON CATES, III, CHAIR

4 QUINCY HOCUTT, VICE CHAIR

5 FRANCIS BOLAND, MEMBER

6 STEVEN COLE, MEMBER

7 LESLIE CROSS, MEMBER

8 GLENN DEVEER, MEMBER

9 CAMILLE DUDLEY, MEMBER

10 KIMBERLY KENNE, BOARD MEMBER - COC LIAISON

11 MIKE MOHIT, MEMBER

12 WILLIE ORDONEZ, MEMBER

13 MIKALARAHN, MEMBER

14 JAMES VITALE, MEMBER

15 JEN WANG, MEMBER

16 MIGUEL PEREZ, FACILITIES

17

18 MEMBERS OF PUBLIC

19 RUTHANNE AWL

20 TOM DUNFORD

21 PETER LOERA

22 JESSE LOERA

23 JUDY MCKINLEY

24 AARON THOMPSON

25 ROBERT SMITH

1 WEDNESDAY, AUGUST 16, 2017, PASADENA, CALIFORNIA

2 6:30 P.M.

3 -000-

4 MR. CATES: WE HAVE A QUORUM. IT'S 6:32. I'M GOING
5 TO CALL THE MEETING TO ORDER. THE FIRST ITEM OF BUSINESS
6 ON THE AGENDA IS THE APPROVAL OF THE MINUTES OF OUR MEETING
7 OF JULY 19.

8 MR. HOCUTT: WE DID RECEIVE OUR TRANSCRIPT AND FIRST
9 ROUGH DRAFT A LITTLE LATE SO WE DID NOT HAVE TIME TO GET
10 THE MINUTES PUT OUT. WE'LL WORK ON THEM AS SOON AS WE GET
11 THEM AND GET THEM OUT TO MEMBERS AND APPROVE THEM HOPEFULLY
12 NEXT TIME.

13 MR. CATES: WHEN DID YOU RECEIVE THEM?

14 MR. HOCUTT: WE RECEIVED THE LAST INPUT THREE HOURS
15 BEFORE THIS MEETING STARTED.

16 MR. CATES: THAT OBVIOUSLY ISN'T ENOUGH TIME TO
17 GENERATE ADEQUATE MINUTES FOR REVIEW, AND, FURTHERMORE, IT
18 PUTS US IN VIOLATION OF THE BROWN ACT WHICH SAYS THAT WE'RE
19 SUPPOSED TO POST THE AGENDA OF THIS MEETING PUBLICLY AND
20 ALL ASSOCIATED DOCUMENTS TO BE CONSIDERED AT LEAST 72 HOURS
21 IN ADVANCE OF THE MEETING. AS A PRACTICAL MATTER, WE CAN'T
22 DO IT. IF WE GET DRAFT MINUTES JUST HOURS BEFORE THE
23 MEETING, THERE'S NO WAY THAT WE CAN COMPLY WITH THE LAW.
24 MOST OF YOU KNOW ME. I BELIEVE IN COMPLYING WITH THE LAW,
25 AND I DON'T LIKE BEING PUT IN THE POSITION WHERE WE CAN'T.

1 THIS IS NOTHING NEW.

2 NEXT ITEM. PUBLIC COMMENT. I SEE WE HAVE A
3 NUMBER OF VISITORS. WELCOME ALL. WHO WOULD LIKE TO LEAD
4 OFF?

5 YES, SIR. WOULD YOU INTRODUCE YOURSELF, PLEASE,
6 AND LET ME TELL YOU WHAT THE OTHER MEMBERS OF THE COMMITTEE
7 KNOW. WE HAVE A REPORTER HERE WHO IS TAKING DOWN A
8 VERBATIM TRANSCRIPT OF EVERYTHING THAT EVERYBODY SAYS, SO
9 PLEASE IDENTIFY YOURSELF BEFORE YOU SPEAK, AND FOR EVERYONE
10 DON'T TALK OVER EACH OTHER. ONE AT A TIME. THE COURT
11 REPORTER CANNOT DEAL WITH PEOPLE WHO ARE TALKING OVER EACH
12 OTHER.

13 YES, SIR. PLEASE GO AHEAD.

14 MR. SMITH: MY NAME IS ROBERT SMITH. I'M ONE OF THE
15 CONTRACTORS THAT'S WORKING AT WASHINGTON ACCELERATED
16 ELEMENTARY SCHOOL.

17 I FIRST WENT OUT TO THE PROJECT AND WAS JUST
18 TOTALLY HORRIFIED AT THE WAY THE IOR IS WORKING ON THAT
19 PROJECT. THE IOR'S NAME FOR THE PUBLIC RECORD IS NICK
20 KOCHAKIAN.

21 MR. CATES: I'M SORRY. WHAT IS IOR, SIR?

22 MR. SMITH: THE INSPECTOR OF RECORD. THE GUY INSIDE
23 THE TRAILER, THAT'S YOUR ON-SITE INSPECTOR.

24 MS. RAHN: PAID BY THE DISTRICT; RIGHT?

25 MR. SMITH: PAID BY THE DISTRICT.

1 OUT OF A HUNDRED INSPECTIONS HE PASSES THREE.
2 NOW, THIS PROJECT, FOR YOU GUYS TO KNOW, SHOULD HAVE BEEN
3 FINISHED DECEMBER '16 OF LAST YEAR. NOW WE ARE IN 2017.
4 THIS PROJECT STILL HAS ANOTHER YEAR ON IT LEFT WHICH I
5 DON'T KNOW IF YOU GUYS DO KNOW THAT, BUT IT DOES.

6 THERE'S BEEN A LOT OF EXTENSIONS ON A LOT OF
7 CONTRACTS. A LOT OF CONTRACTORS THAT WENT BANKRUPT ON THE
8 PROJECT AND HAVE ALSO LEFT. I HAVE DOCUMENTATION ON ALL
9 THE INSPECTIONS THAT HAVE FAILED AND DELAY TACTICS BY THE
10 INSPECTOR ON THE PROJECT.

11 NOW, I'VE BEEN DOING THIS FOR 30 YEARS, AND I'VE
12 NEVER RAN ACROSS A PROJECT LIKE THIS. I WOULDN'T WASTE MY
13 TIME TODAY AT 6:30 COMING HERE WHEN MY DAUGHTER HAD OPEN
14 HOUSE AT SCHOOL, AND I CAME HERE BECAUSE I HAD TO
15 ACCOMPLISH WHAT I HAVE TO.

16 NOW, THE PROBLEM WE HAVE HERE IS THAT NICK
17 KOCHAKIAN, WHO WORKS FOR YOU GUYS, HAS A CONTRACT FOR ONE
18 FISCAL YEAR.

19 MR. CATES: MAY I INTERRUPT FOR JUST A SECOND. WE ARE
20 AN INDEPENDENT OVERSIGHT COMMITTEE. WE'RE NOT PART OF THE
21 DISTRICT SO HE DOESN'T WORK FOR US.

22 MR. SMITH: OKAY. HE HAS A CONTRACT AS A CONSULTANT
23 WITH THE PASADENA UNIFIED SCHOOL DISTRICT AT \$84 AN HOUR,
24 AND IT EXPIRES -- IT'S \$164,000 A YEAR -- AND IT EXPIRES
25 THE 17TH OF MAY, AND THEY JUST RENEWED IT FOR ANOTHER YEAR.

1 THE PROBLEM I HAVE WITH THAT IS IF YOU ARE A
2 FACILITIES MANAGER FOR PASADENA UNIFIED SCHOOL DISTRICT AND
3 YOU ARE ALSO AN INSPECTOR ON THE JOB GETTING PAID BY DSA,
4 IF YOU UNDERSTAND, IF YOU GUYS KNOW WHAT I'M TALKING ABOUT,
5 IT'S THE TRAILER THAT'S THERE. YOU HAVE TWO GUYS THERE
6 NOW. SO BASICALLY IT'S A CONFLICT OF INTEREST ON THIS TO
7 HAVE THAT.

8 NOW, DSA REQUIRES YOU TO BE AN IOR ON TWO
9 PROJECTS AND THAT'S ALL YOU CAN BE ON. HE'S AN IOR IN THE
10 CITY OF PASADENA FOR THE SCHOOL DISTRICT ON OVER 10, ALMOST
11 11 SCHOOLS, AND I HAVE DOCUMENTATION ON EVERYTHING.

12 YOU GUYS UNDERSTAND ABOUT CHANGE ORDERS BECAUSE
13 YOU GUYS WENT THROUGH AND UNDERSTAND HOW VERY, VERY
14 IMPORTANT PLAN CHECK IS. NOW, FOR BEING A FULL-TIME IOR ON
15 THE PROJECT AT WASHINGTON ELEMENTARY SCHOOL, HE'S ALSO AT
16 BLAIR. NOW, BLAIR THAT'S FINE. HE CAN BE THE IOR ON THAT
17 PROJECT ALSO. THE PROBLEM IS IS WHEN HE TURNS IN A BID FOR
18 PLAN CHECK, WHICH IS WHAT HE DID, PC & ASSOCIATES SAID THEY
19 WERE GOING TO REVIEW THE PROJECT FOR 15 BUSINESS DAYS AND
20 THEIR PRICE WAS \$36,875. API SAID THEY WERE GOING TO LOOK
21 AT THE JOB FOR 21 CALENDAR DAYS TO TRY TO FIND FAULT IN
22 PLANS SO THAT WAY YOU CAN SEE UNFORESEEN ISSUES, AND THAT
23 WAY YOU DON'T HAVE PROBLEMS WITH LESS MONEYS THAT YOU'RE
24 GOING TO SPEND. OKAY? API BID THE PROJECT FOR 26,460. NO
25 EXCLUSIONS. TWO BIDS.

1 NED KOCHAKIAN COMES IN, NOW MIND YOU, HE HAS A
2 CONTRACT WITH THE SCHOOL DISTRICT. HE'S GETTING PAID BY
3 THE IOR. NED KOCHAKIAN BIDS IT FOR 80 HOURS OF REVIEW TIME
4 WHICH IS 10 DAYS AT A PRICE OF 7,600.

5 NOW, IF YOU GUYS WERE LOOKING AT A BID AND
6 SOMEBODY CAME IN AT A MILLION, AND 1.1 MILLION, AND
7 SOMEBODY CAME IN AT 500,000, YOU WOULD GO TO THE LOWEST
8 BIDDER. SO 7,600 HE'S GOING TO LOOK AT IT. NOW,
9 EXCLUSIONS STATE THAT SUBMIT DOES NOT INCLUDE WORK ON BID
10 DOCUMENTS, CONTENT OF GENERAL CONDITIONS, DIVISION ONE AND
11 TWO, STRUCTURAL, MECHANICAL, ELECTRICAL, PLUMBING, FIRE
12 SERVICE, GENERAL DEMOLITION, CODE COMPLIANCE AND
13 CALCULATION OF PLAN SHEETS.

14 NOW, HOW HE CAN COVER HIS BUTT IS BY EXCLUDING
15 ALL OF THIS AND GOING AT THAT LOWER PRICE, HE'S THE IOR ON
16 THE PROJECT. HE'S THE INSPECTOR OF RECORD. SO HE SITS IN
17 THAT TRAILER ALSO, BUT I DON'T KNOW HOW HE'S SUPPOSED TO
18 TURN IN 40 HOURS AND BILL YOU BIMONTHLY THAT HE DOES AND BE
19 ON 12 DIFFERENT SCHOOLS AT ONE TIME.

20 MR. CATES: MAY I ASK IF YOU'VE TAKEN UP THESE
21 OBVIOUSLY SERIOUS PROBLEMS WITH THE FACILITIES DEPARTMENT?

22 MR. SMITH: YES, I HAVE. I WENT TO ANSON RANE WHO IS
23 ALSO A CONSULTANT FOR THE SCHOOL DISTRICT. I WENT TO HIM
24 LAST MONTH, AND I TOLD HIM WE'VE GOT A SERIOUS PROBLEM
25 HERE. THIS JOB IS BEHIND SCHEDULE. EVERYBODY'S MORALE IS

1 DOWN. NOBODY WANTS TO COME TO WORK. IT'S TAKING US TWICE
2 AS LONG TO DO EVERYTHING HERE.

3 THE REASON WHY I'M HERE IS BECAUSE I HAVE ANOTHER
4 EIGHT MONTHS HERE, AND I CANNOT DEAL WITH THIS MAN. HE'LL
5 WALK OUT. I'LL SAY, "CAN YOU PLEASE LOOK AT THIS?" "I
6 DON'T HAVE TIME FOR YOU. TURN IN A 24 HOUR INSPECTION
7 REQUEST." SO I TURN IN A 24 HOUR INSPECTION REQUEST TO
8 TALK TO HIM TO ANSWER A QUESTION THAT ANY OTHER IOR ON ANY
9 PROJECT WOULD COME OUT GLADLY AND GIVE ME AN ANSWER ON.

10 MR. CATES: HAVE YOU SPOKEN TO THE CHIEF OF
11 FACILITIES?

12 MR. SMITH: NELSON CAYAB OR WHATEVER? NO, I HAVE NOT.
13 I HAVE NOT DONE THAT, BUT ANSON TOLD ME TO PLEASE NOT GO TO
14 THE SCHOOL DISTRICT. "I'LL BRING THE ARCHITECT AND THE
15 ENGINEER OUT HERE TWICE A WEEK." I SAID, "THAT'S NOT
16 SOLVING THE PROBLEM."

17 NOW, IN ONE MONTH FROM MARCH 1 TO MARCH 31, MARCH
18 1 THROUGH MARCH 31, IT SHOWS HERE ROOSEVELT ELEMENTARY
19 SCHOOL, NED KOCHAKIAN, \$3,950. WASHINGTON ACCELERATED, NED
20 KOCHAKIAN, \$7,900. MUIR HIGH SCHOOL, NED KOCHAKIAN,
21 \$3,950. BLAIR HIGH SCHOOL, NED KOCHAKIAN, 3,950. PASADENA
22 HIGH SCHOOL, NED KOCHAKIAN, 7,900. JEFFERSON ELEMENTARY,
23 NED KOCHAKIAN, \$790. WASHINGTON MIDDLE SCHOOL, NED
24 KOCHAKIAN, \$29,070. THIS IS ONE MONTH, 31 DAYS. NOT
25 DIFFERENT YEARS. NOT ALTOGETHER, NOT COMBINED, NOT

1 QUARTERLY. ONE MONTH.

2 MR. CATES: FOR ONE INSPECTOR?

3 MR. SMITH: OH, YEAH. DON BENITO FUNDAMENTAL, NED
4 KOCHAKIAN, 3,950.

5 NOW, MIND YOU, BY LAW HE CAN ONLY BE ON TWO
6 PROJECTS AT ONE TIME. SO WHAT'S COMING NOW AFTER THESE
7 CONTRACTORS, WE'VE HAD PROBABLY ABOUT TEN CONTRACTORS THAT
8 HAVE GONE BANKRUPT. THE LAWSUITS COMING ARE GOING TO BE
9 ASTRONOMICAL. I'M TRYING TO SOLVE ALL OF THIS RIGHT NOW.
10 ALL WE WANTED WAS HIM REMOVED FROM THE PROJECT, BUT ANSON
11 DIDN'T WANT TO DO IT, AND THERE'S MORE INTO THIS, A LOT
12 MORE. TRUST ME.

13 NOW WATCH THIS. WE'RE NOT DONE YET. MUIR HIGH
14 SCHOOL, NED KOCHAKIAN, 3,950. NORMA COOMBS ELEMENTARY, NED
15 KOCHAKIAN, 8,690. JACKSON ELEMENTARY, NED KOCHAKIAN,
16 3,950. 12 SCHOOLS TOTALING 78,050. PLUS HE'S GETTING PAID
17 BY DSA, PLUS --

18 MR. VITALE: HOLD ON A MINUTE. DSA DOESN'T PAY
19 ANYBODY ANYWAY.

20 MR. CATES: ONE AT A TIME.

21 MR. SMITH: YOU KNOW WHAT I'M TALKING ABOUT. HE'S
22 GETTING PAID TO BE ON A TRAILER IN THERE.

23 NOW, HE PUT A PROPOSAL IN FOR WASHINGTON
24 ELEMENTARY SCHOOL UNDER NED KOCHAKIAN CONSTRUCTION. A
25 PROPOSAL FOR INSPECTORS FOR WASHINGTON MIDDLE SCHOOL, HIS

1 ESTIMATE TO BE IN THE TRAILER ON THE JOB FOR ONE CLASS ONE
2 AND ONE CLASS TWO INSPECTOR, \$246,480, NOLAN CONSTRUCTION
3 SERVICES. NOLAN CONSTRUCTION SERVICES IS NED KOCHAKIAN.
4 SAME GUY. SO I DON'T KNOW WHAT IS GOING ON HERE, BUT
5 BASICALLY WHAT IS REALLY GOING ON HERE IS THERE'S A LOT OF
6 PROBLEMS. I'VE ALREADY CONTACTED CHANNEL 2. THIS IS ALL
7 GOING TO GO PUBLIC.

8 ANOTHER SITUATION. THESE FINE GENTLEMAN HERE
9 WORK FOR A COMPANY CALLED BENJAMIN. BENJAMIN WAS ON THE
10 PROJECT. THEIR CONTRACT RAN OUT. G2K, WHICH IS THE
11 GENERAL CONTRACTOR, THE SURETY COMPANY STEPPED IN, THE
12 BONDING COMPANY BECAUSE THIS JOB IS OUT OF CONTROL, AND YOU
13 GUYS DON'T EVEN KNOW IT. YOU REALLY DON'T. SERIOUSLY.

14 THEY ASKED FOR A CREDIT BACK FOR A PARKING LOT
15 THAT WAS THERE THAT YOU GUYS AREN'T GOING TO GET. THEY
16 ASKED FOR A CREDIT ON ALL THE COLORED CONCRETE AND
17 EVERYTHING BACK ON THE PROJECT SO THEY COULD HAVE MONEYS TO
18 TRY TO FINISH THIS JOB. THEY CAME AT WEEKLY MEETINGS TO
19 THESE GUYS HERE, WHICH IS THEY USED THEM AS A SCAPEGOAT,
20 BECAUSE WHAT THEY DID WAS THEIR CONTRACT WAS OVER SO THEY
21 CAME IN AND THEY GO GUESS WHAT? THE DENSGLOSS GUYS, THE
22 DRYWALL GUYS ALL LEFT. EVERYBODY SAID SCREW YOU. WE'RE
23 NOT GETTING PAID. SO THEY HAD THEM T&M EVERYTHING --
24 DRYWALL, TAPING, DENSGLOSS, WELDING. THEY TRIED TO KEEP
25 THIS JOB GOING. THEY PUMPED 25 GUYS OUT THERE EVERY SINGLE

1 DAY TO GET THIS PROJECT DONE.

2 OKAY. GUESS WHAT? SURETY COMES IN AND BRINGS IN
3 KEMP BROTHERS TO SUPERVISE THE PROJECT. THEY KICKED THEM
4 OFF THE JOB. SO NED KOCHAKIAN RIGHT HERE DECIDES TO GO
5 OVER TO STUFF THAT IS ALREADY STUCCOED AND CLOSED UP ON
6 BUILDING C AND OPENED UP EVERYTHING TO USE THEM AS A
7 SCAPEGOAT TO JUSTIFY THAT TO PAY AND BACKCHARGE SO THEY
8 DON'T GET ANY MONEYS LEFT ON THE PROJECT AND PUT IT UP.
9 WHY WOULD YOU OPEN UP SOMETHING THAT WAS STUCCOED, OPEN THE
10 METAL, OPEN THE FLASHING, OPEN EVERYTHING TO INSPECT
11 SOMETHING THAT YOU SHOULD HAVE INSPECTED IN THE FIRST PLACE
12 BEFORE YOU SAID CLOSE IT UP.

13 A LOT MORE ISSUES THAN THAT.

14 MR. CATES: LET ME INTERRUPT FOR JUST A MOMENT. WHAT
15 YOU'RE DESCRIBING IS SERIOUS, AND I'M SORRY THAT YOU AND
16 YOUR COLLEAGUES HAVE HAD TO PUT UP WITH THIS.

17 MR. SMITH: LET ME SAY ONE MORE THING, BOSS.

18 MR. CATES: FIRST, LET ME TELL YOU WHAT WE CAN DO AND
19 THEN ASK YOU WHAT YOU THINK SHOULD BE DONE. WE'RE NOT THE
20 DISTRICT.

21 MR. SMITH: I UNDERSTAND THAT.

22 MR. CATES: WE HAVE NO CONTROL WHATSOEVER OF PROJECT
23 MANAGEMENT. OUR RESPONSIBILITY IS TO MAKE SURE THAT
24 PROPOSITION TT FUNDS ARE SPENT IN ACCORDANCE WITH THE LAW.

25 NOW, WHAT YOU'RE SUGGESTING IS THEY'RE NOT SO WE

1 CAN DEAL WITH THAT ASPECT OF IT.

2 MR. SMITH: WE --

3 MR. CATES: BUT I THINK THAT IF YOU HAVEN'T DONE
4 THIS --

5 MR. SMITH: WE WENT TO THE SCHOOL BOARD, SIR. WE WENT
6 AND SAT THROUGH A MEETING, AND SOMEBODY TOLD US --

7 MS. KENNE: FACILITIES, NOT THE SCHOOL BOARD.

8 MR. SMITH: WE WENT THERE, AND THEY TOLD US TO COME
9 HERE. NOW, SOMEBODY IN THIS OFFICE TOLD ME THIS MEETING
10 WAS TOMORROW. THEY CALLED ME, AND I SHOT BACK DOWN HERE.

11 ANOTHER THING --

12 MR. CATES: NO. LET ME CONTINUE. IT'S THE
13 DISTRICT THAT HAS JURISDICTION OVER THIS AND THE FACILITIES
14 DEPARTMENT IN PARTICULAR, AND OVER THE DISTRICT IS THE
15 BOARD OF EDUCATION. WE HAVE A BOARD MEMBER HERE. MY
16 RECOMMENDATION IS, ONE, SCHEDULE A MEETING WITH THE CHIEF
17 OF FACILITIES AFTER YOU HAVE PUT YOUR ELOQUENT PRESENTATION
18 IN WRITING, AND THEN NO MATTER WHAT HAPPENS THERE, GO TO
19 THE BOARD. ALL WE CAN DO FOR YOU, AND GOD KNOWS WE WOULD
20 LIKE TO HELP, IS TO LOOK AT THE IMPROPER EXPENDITURE OF
21 PROPOSITION TT BOND FUNDS. WE CAN'T MAKE THE DISTRICT DO A
22 DAMN THING.

23 MR. SMITH: I UNDERSTAND. I'VE DONE A LOT OF RESEARCH
24 FROM MEASURE Y TO MEASURE TT AND EVERYTHING THAT HAPPENED
25 AT THE BEGINNING OF MEASURE TT WITH THE \$80,000 AND THINGS

1 LIKE THAT.

2 MR. CATES: JAMES, WHAT IS --

3 MR. VITALE: I APOLOGIZE FOR BEING A LITTLE BIT LATE.

4 I THOUGHT I WAS WHERE I'M SUPPOSED TO BE, AND I GUESS I
5 WASN'T. WALKING INTO THIS IS LIKE WALKING INTO A MINE
6 FIELD, ON THE ONE HAND, BUT ON THE OTHER HAND BEFORE I
7 LEAVE HERE TONIGHT, IF YOU CAN GIVE ME A LIST OF THOSE
8 SCHOOLS, I WILL SPEAK WITH THE SUPERVISING STRUCTURAL
9 ENGINEER FROM DSA WHO OVERSEES THIS INDIVIDUAL.

10 MR. SMITH: I CALLED ANTHONY TRAN. I TALKED TO HIM.
11 I JUST DIDN'T WALK IN HERE AS MCSTUPID. EXCUSE MY
12 LANGUAGE. I DID MY HOMEWORK ON THIS.

13 NOW, HERE'S ANOTHER THING WHERE I THINK IN MY
14 OPINION, WHICH I'M NOBODY, I THINK THERE'S FRAUD, AND I'LL
15 SHOW YOU THIS. NOW, IF YOU HAVE THE RMA GROUP, WHO IS
16 SOMEONE THAT TESTS DIRT COMPACTION AND THEIR ORIGINAL
17 CONTRACT IS \$156,447, AND THEN YOU GET AN EXTENSION AND YOU
18 GUYS ADD AND APPROVE \$209,209 TOTALING THEIR CONTRACT TO
19 \$365,656. NINIO & MORE, \$159,713 WAS ORIGINAL CONTRACT.
20 YOU GUYS APPROVED ON YOUR MINUTES \$163,533 TO TOTAL
21 \$323,246. NOW, NOBLE IS ALSO THE IOR. THEY GAVE YOU GUYS
22 A BID OF 724,736 WHICH YOU APPROVED AT WASHINGTON
23 ELEMENTARY. NOW WHAT I'M WONDERING IS ON A PROJECT THAT IS
24 \$14 MILLION, HOW CAN YOU HAVE \$1,413,000 ON SPECIAL
25 INSPECTION ON A PROJECT? THAT'S 10 PERCENT OF A PROJECT.

1 WHICH THAT'S ASTRONOMICAL.

2 LET'S NOW GO INTO LPA WHO IS THE ARCHITECT.

3 LPA'S CONTRACT WAS 199. NOW, BECAUSE THIS JOB IS DRAGGING
4 ON, THEY'RE CHARGING YOU GUYS THIRTEEN FIVE A MONTH, WHICH
5 YOU GUYS KNOW, AND IT'S CONTINUING AND CONTINUING AND
6 CONTINUING. WE'RE SITTING HERE AT ALMOST \$2 MILLION
7 BETWEEN THE ARCHITECT AND SPECIAL INSPECTIONS ON THIS
8 PROJECT WHICH IS OUR BID, AND WE HAVE ALL -- YOU GUYS HAVE
9 PROBABLY SEEN THE JOB -- ALL THE RETAINING WALLS, FERRIS
10 CONCRETE, THE WHOLE NINE. WE HAVE THAT CONTRACT. WE'RE AT
11 1.2 MILLION.

12 MR. VITALE: YOU ARE THE GC ON THE JOB?

13 MR. SMITH: I'M NOT THE GC. I'M A SUBCONTRACTOR WHO
14 SEES A PROBLEM, AND IF WE DON'T FIX THIS PROBLEM, THIS JOB
15 JUST KEEPS EXTENDING AND EXTENDING AND EXTENDING.

16 MR. CATES: AGAIN, LET ME INTERRUPT FOR A MOMENT.
17 DON'T SAY, "YOU GUYS." WE ARE NOT THE GUYS. WE'RE THE
18 OVERSIGHT COMMITTEE.

19 MR. SMITH: SORRY.

20 MS. RAHN: YOU HAVE KIM AND ME CONFUSED HERE.

21 MR. SMITH: I FILLED THIS OUT, AND I TURNED IT INTO
22 THE SUPERINTENDENT'S OFFICE TO GET ON THE AGENDA. I DID
23 EVERYTHING THAT I'M SUPPOSED TO DO.

24 MS. RAHN: SO I WAS ON THE SCHOOL BOARD BUT TWO YEARS
25 AGO, AND I FELT LIKE AT THAT POINT I WAS FOLLOWING THE

1 PROJECT, AND THEN I HAVEN'T BEEN ON IT FOR TWO YEARS SO I'M
2 ON THIS NOW, AND WHAT I WANT TO SAY TO YOU IS ABOUT MORE
3 LIKE PROCESS -- KIM IS HERE. SHE'S BEING HER GOOD BOARD
4 MEMBER HERSELF.

5 SO HERE'S WHAT I WOULD SUGGEST. FIRST OF ALL,
6 VERBAL DOESN'T REALLY WORK IN THIS DISTRICT. MEANING YOU
7 IF GUYS GO TO THE BOARD TOMORROW NIGHT --

8 MR. SMITH: WE'RE READY TO PULL THE TRIGGER ON A LOT
9 OF THINGS. THIS IS NOT A JOKE ANYMORE. WE'RE NOT GOING
10 AWAY.

11 MS. RAHN: I'M GOING TO TRY TO EXPLAIN HOW TO DO THIS.
12 I'M GOING TO TRY. YOU ONLY GET THREE MINUTES -- RIGHT --
13 SO YOU WANT A WRITTEN SPEECH THAT HAS -- I HAVE 12 MINUTES
14 RIGHT HERE SITTING IN FRONT OF ME, BUT YOU HAVE TO HAVE IT
15 WRITTEN AND CONCISE AND DISTINCT SO THAT PEOPLE CAN FOLLOW
16 IT. THAT'S HOW YOU GET IN FRONT OF THE BOARD. THAT'S HOW
17 YOU GET ATTENTION. THAT'S HOW PEOPLE ARE LISTENING.

18 I WOULD GO TO THE FACILITIES COMMITTEE, EVERY
19 SINGLE COMMITTEE, AND I WOULD GET A MEETING WITH NELSON.
20 NOW, WE HAVEN'T HEARD FROM MIGUEL, BUT I DON'T THINK IT'S
21 APPROPRIATE TO HEAR FROM MIGUEL TONIGHT. IT REALLY IS
22 SOMETHING OVER HIM AND SHOULD BE DEALT WITH WITH NELSON.
23 BUT IF YOU GO TOMORROW NIGHT, BE SCRIPTED AND READY WITH
24 THESE VERY, VERY GOOD POINTS AND BRING A WRITTEN.

25 MR. SMITH: BUT ALSO YOU GUYS HAVE --

1 MR. CATES: EXCUSE ME. NOT YOU GUYS.

2 MR. SMITH: I WAS TOLD IT WAS GOING TO BE TOMORROW,
3 AND I WAS GOING TO HAVE A BIG OLD BOARD LIKE THAT WITH AN
4 EASEL WITH EACH ONE --

5 MS. RAHN: THAT WON'T HELP YOU HERE. IT ONLY HELPS
6 YOU AT THE SCHOOL BOARD AND AT THE FACILITIES MEETING.
7 THAT DOESN'T MEAN WE'RE NOT WATCHING. WE'RE HEARING YOUR
8 CONCERN. WE'RE UNDERSTANDING THERE'S A PROBLEM, AND SO
9 WE'RE ON, BUT WE'RE NOT THE FIRST JUMP. SO IT'S GOOD THAT
10 YOU INFORMED US, BUT NOW YOU HAVE TO GO TO A BOARD MEETING
11 AND PUBLIC HEARING, AND YOU HAVE TO HAVE YOUR POINTS REALLY
12 CONCISE AND IN THE RIGHT ORDER.

13 MR. SMITH: WE WENT TO HER, AND SHE WAS THERE --

14 MS. KENNE: HANG ON. SO AT THE FACILITIES MEETING ALL
15 THESE GUYS CAME. NELSON WAS NOT AT THE FACILITIES MEETING.
16 THE TWO STAFF PEOPLE WHO WERE THERE WAS RALPH PASHEK WHO IS
17 THE HEAD OF FOOD SERVICES AND SHIRLY BARRETT. SO I DON'T
18 THINK THERE WAS ANYONE -- THERE WEREN'T ANY PROJECT
19 MANAGERS THERE TO ADDRESS THEIR CONCERNS, AND THEY WEREN'T
20 ON OUR AGENDA, WHETHER THEY SHOULD HAVE BEEN ON THE FULL
21 BOARD AGENDA OR NOT, IT DOES SOUNDS LIKE THEY'VE ASKED TO
22 BE ON AGENDAS.

23 TOMORROW NIGHT'S MEETING IS A SPECIAL BOARD
24 MEETING. THERE IS AN AGENDA ITEM WHERE WE ARE APPROVING
25 THE SPENDING OF THE REST OF THE TT FUNDS AND THE PRIORITY

1 LIST AND WASHINGTON ELEMENTARY IS ON THAT LIST. SO YOU CAN
2 CERTAINLY SPEAK AT THE BEGINNING OF THE MEETING. IT'S A
3 SPECIAL MEETING SO YOU CAN ONLY TALK ABOUT THINGS ON THE
4 AGENDA, BUT SINCE WASHINGTON ELEMENTARY IS ON THE PRIORITY
5 LIST AND IT'S ON THE AGENDA, YOU CAN TALK. OTHERWISE THEY
6 WILL STOP YOU FROM TALKING AND TELL YOU YOU HAVE TO COME
7 BACK NEXT MONTH.

8 MR. CATES: THEY WILL GIVE YOU FAR LESS TIME THAN
9 WE'VE GIVEN YOU.

10 MS. RAHN: OR FACILITIES.

11 MS. KENNE: FACILITIES I BELIEVE IS SCHEDULED FOR THE
12 24TH RIGHT BEFORE THE BOARD MEETING AGAIN. SO NEXT
13 THURSDAY THERE'S A FACILITIES MEETING AND A BOARD MEETING.

14 MR. CATES: OUR TIME IS SHORT. WE HAVE MUCH TO COVER.

15 IS THERE ANY OTHER PERSON WHO WOULD LIKE TO SPEAK
16 OUT DURING THIS PUBLIC COMMENT PERIOD WITH SOMETHING OTHER
17 THAN WHAT'S ALREADY BEEN SAID?

18 MR. THOMPSON: YEAH, I WOULD.

19 MR. CATES: PLEASE INTRODUCE YOURSELF.

20 MR. THOMPSON: MY NAME IS AARON THOMPSON, A
21 REPRESENTATIVE OF THE CARPENTER'S UNION SOUTHWEST REGIONAL
22 COUNCIL. IN REGARDS TO WASHINGTON ACCELERATED, I HAVE MUCH
23 OF THE SAME CONCERNS HE HAS AS WELL. I WAS UNDER THE
24 UNDERSTANDING THAT YOU GUYS ARE AN OVERSIGHT COMMITTEE AND
25 THAT YOU GUYS CAN OVERSEE THESE FUNDS. YOU GUYS ALLOCATE

1 THESE FUNDS. THESE FUNDS -- YOU GUYS REPRESENT THESE FUNDS
2 AND HOW THEY'RE SPENT; AM I CORRECT IN THAT?

3 MR. CATES: NOT REALLY. OUR JOB IS TO MAKE SURE THE
4 TT FUNDS ARE SPENT ON TT PROJECTS, THINGS THAT WERE LISTED
5 IN THE BALLOT MEASURE AND THAT THE MONEY IS SPENT IN
6 ACCORDANCE WITH THE CALIFORNIA CONSTITUTION AND THE
7 EDUCATION CODE. HOWEVER, WE HAVE NOTHING TO DO AND NO
8 RIGHT TO INTERFERE WITH THE MANAGEMENT OF THE FUNDS ONCE WE
9 DETERMINE THAT THEY'RE LEGALLY SPENT.

10 MR. THOMPSON: ALLOCATED.

11 MR. CATES: IT IS UP TO THE DISTRICT AND IN PARTICULAR
12 THE FACILITIES DEPARTMENT. SO WE CAN COULD SAY, YOU KNOW,
13 YOU NEED TO CLEAN UP YOUR ACT IN THIS PARTICULAR REGARD,
14 BUT WE DON'T HAVE THE RIGHT TO DO THAT, AND THEY DON'T HAVE
15 TO LISTEN TO US.

16 MR. THOMPSON: OKAY. SO APPARENTLY WE WERE NOT
17 EDUCATED ENOUGH TO UNDERSTAND YOUR OVERSIGHT, AND WE
18 APOLOGIZE FOR THAT.

19 MR. CATES: NO, NO. I'M GLAD YOU CAME.

20 MR. THOMPSON: BUT WE WANT TO MAKE YOU GUYS AWARE THAT
21 THERE ARE A LOT OF THINGS GOING ON IN THIS DISTRICT THAT
22 ARE EGREGIOUS. HE HAS ALL THIS THAT HE'S MENTIONED. WE
23 HAVE EVIDENCE OF SEVERAL PREVAILING WAGE VIOLATIONS FROM
24 THIS PROJECT, COERCION, BRIBERY, ALL OF THIS STUFF, AND
25 WE'RE BASICALLY LOOKING FOR A PLACE, AN OUTLET AND A PLACE

1 TO GIVE IT SO THIS DISTRICT RECOGNIZES IT AND SEES IT FOR
2 WHAT IT IS AND MAKES THE RESPONSIBLE CONTRACTOR THAT DID
3 ALL THIS STUFF TO YOUR DISTRICT AND SPENT YOUR TAXPAYERS'
4 MONEY AND MISMANAGED MILLIONS AND MILLIONS OF DOLLARS AT
5 THIS POINT THAT HE'S HELD RESPONSIBLE FOR THAT.

6 YOUR BOND MEASURE IS ALMOST DONE AND NONE OF
7 THOSE FUNDS -- I MEAN I COULD PROBABLY HONESTLY RIGHT OFF
8 THE TOP OF MY HEAD SAY 60 PERCENT OF THE FUNDS FOR THAT
9 PROJECT WERE MISALLOCATED. AGAIN, FORGIVE ME FOR BEING
10 MISINFORMED, BUT AS AN OVERSIGHT COMMITTEE, I WOULD THINK
11 THAT THAT WOULD BE YOUR GUYS', PART OF YOUR GUYS' SCOPE IS
12 TO RECOGNIZE THAT, AT LEAST HEAR THAT IT'S GOING ON AND
13 TAKE IT TO THE PROPER PEOPLE. AT LEAST GIVE US THE
14 INFORMATION THAT WE NEED TO TAKE IT WHERE WE NEED TO GO
15 WITH IT.

16 MR. CATES: WELL, WE'RE GLAD THAT YOU CAME TO EXPLAIN
17 SOME SERIOUS PROBLEMS IN THE ENTIRE PROCESS. DON'T GIVE UP
18 HOPE. FIRST, NOTE AGAIN THERE'S A VERBATIM TRANSCRIPT OF
19 THIS. FROM THAT WE PRODUCE VERY DETAILED MINUTES, MUCH
20 MORE DETAILED THAN ANY OTHER ORGANIZATION AFFILIATED WITH
21 THE DISTRICT, AND IT WILL CONTAIN ALL OF THIS. THOSE
22 MINUTES AND ANY DOCUMENTS THAT RELATE TO THEM ARE POSTED ON
23 OUR WEBSITE AVAILABLE FOR THE WORLD TO SEE. I'M NOT SURE
24 THE WORLD IS PAYING MUCH ATTENTION, SO ONE OF THE THINGS
25 THAT YOU MIGHT CONSIDER DOING IS HAVING YOUR FRIENDS AND

1 COLLEAGUES AND PASADENA TAXPAYERS GENERALLY TAKE A LOOK AT
2 OUR WEBSITE. THEY WILL FIND YOUR COMMENTS ON THERE.

3 MR. SMITH: THAT'S WHY WE WANTED TO COME HERE.

4 MR. CATES: EVEN IF WE HAVE NO ABILITY TO MANAGE THE
5 CONSTRUCTION OF INDIVIDUAL PROJECTS, WE DO HAVE THE ABILITY
6 TO PUBLICIZE ABUSES AND WE WILL DO SO. IF YOU'LL STICK
7 AROUND FOR THE REST OF THE MEETING, YOU WILL FIND THAT YOUR
8 PROBLEMS ARE NOT UNIQUE.

9 MR. BOLAND: THE ONE THING, YOU SAID TWO THINGS THAT
10 KIND OF -- YOU SAID "COERCION" AND YOU SAID "BRIBERY." IF
11 YOU CAN PROVE CRIMINAL ACTIVITY, I WOULD GO DIRECTLY TO THE
12 CITY ATTORNEY. THAT'S WHERE I WOULD GO WITH ANY PROOF IF I
13 COULD PROVE IT. YOU HAVE TO BE CAREFUL SAYING IT, YOU
14 KNOW, BUT YOU SAID IT, AND IF YOU CAN PROVE IT, THEN I
15 WOULD GO TO THE CITY ATTORNEY WITH IT. THAT'S CRIMINAL
16 ACTIVITY THAT CONCERNS ME GREATLY. I WOULDN'T SAY GO
17 TO -- I WOULD SAY TAKE THAT TO THE CITY ATTORNEY, AND FOR
18 YOU I WOULD SAY IF YOU CAN PROVE THE THINGS THAT YOU HAVE
19 TO SAY, THESE THINGS DESERVE TO SEE THE LIGHT OF DAY. BUT
20 CLIFF IS RIGHT. WE DON'T HAVE THE -- WE CAN'T DO MUCH.

21 MR. CATES: OTHER THAN TO PUBLICIZE, AND THAT MAY BE
22 YOUR BEST WEAPON.

23 MR. THOMPSON: LIKE I SAID, OUR MAIN GOAL, AS I
24 UNDERSTAND IT, IS YOU GUYS ARE MEMBERS OF THIS COMMUNITY.
25 YOU GUYS ARE ALL CITIZENS HERE IN PASADENA. THIS IS YOUR

1 TAXPAYER DOLLARS AT WORK AS WELL. SO I THINK OUR MAIN GOAL
2 WAS TO BRING LIGHT TO YOU GUYS.

3 MR. VITALE: IF I MAY, WHAT I'M HEARING IS, AS FAR AS
4 I UNDERSTAND, THE SUPPOSED CERTIFIED PAYROLL THAT IS
5 SUPPOSED TO BE SUBMITTED AND VERIFIED ON A MONTHLY BASIS
6 HAS BEEN FRAUDULENTLY REPRESENTED AS BEING COMPLIANT?

7 MR. THOMPSON: I BELIEVE SO.

8 MR. VITALE: THAT'S WHERE THE RUBBER MEETS THE ROAD.
9 IF WE HAVE GOT COPIES -- NOT WE -- IF YOU CAN PROVIDE
10 COPIES OF THE CERTIFIED PAYROLL AND SHOW THAT THE WORKERS
11 HAVE NOT RECEIVED THE FULL AMOUNTS OF MONEYS THAT THEY ARE
12 SUPPOSED TO BE PAID UNDER THE MINIMUM REQUIREMENTS OF THE
13 DAVIS BACON ACT FOR PAYMENTS TO THEM, YOU'RE GOING TO NEED
14 CERTIFICATES OR CERTIFICATIONS FROM THE EMPLOYEES THAT THEY
15 HAVE BEEN UNDERPAID. THAT TOGETHER WITH THE CERTIFIED
16 PAYROLL WOULD BE THE EVIDENCE THAT WOULD BE LOOKED FOR BY
17 THE CITY ATTORNEY OR WHOEVER WOULD BE PROSECUTING SUCH A
18 MATTER.

19 MR. CATES: I THINK THAT'S VERY GOOD ADVICE. MAKE
20 SURE, THOUGH, THAT BEFORE YOU LEVEL AN ACCUSATION OF
21 CRIMINAL CONDUCT THAT YOU HAVE REASONABLE EVIDENCE TO BACK
22 IT UP.

23 MR. THOMPSON: ABSOLUTELY. ABSOLUTELY

24 MS. RAHN: ALSO, STEVE, ARE YOU GOING TO THE MEETING?

25 MR. COLE: YES. I WAS AT THE LAST ONE.

1 MS. RAHN: HE'S OUR LIAISON. HE GOES TO FACILITIES SO
2 WE CAN ALSO EXPRESS TO HIM THAT WOULD YOU PLEASE TELL
3 FACILITIES WE'RE FAIRLY ALARMED THAT THIS CAME UP AND THAT
4 WE HAVEN'T HAD THIS KIND OF PUBLIC COMMENT IN SOME TIME.
5 THIS IS REALLY HEIGHTENED AWARENESS FOR US BECAUSE I THINK
6 THEM KNOWING THAT WE'RE FOLLOWING AND THAT IT'S ALARMING I
7 THINK IS VERY IMPORTANT.

8 MR. COLE: YES.

9 MR. HOCUTT: DO YOU HAVE DOCUMENTATION THAT YOU COULD
10 LEAVE WITH US OR THAT WE COULD GET COPIES OF IT?

11 MR. SMITH: YEAH. I HAVE NO PROBLEM AT ALL. I WANTED
12 TO COME HERE FIRST, AND I UNDERSTAND WHAT YOU GUYS ARE
13 TRYING TO DO. BUT WHEN WE WENT TO THE FACILITIES MEETING,
14 I THINK IT WAS -- SOMEBODY THERE TOLD US YOU NEED TO GO TO
15 THIS MEETING SO WE CAME HERE. AND, I MEAN, WE DON'T WANT
16 TO GO DOWN THE ROUTE THAT WE WANT TO. ON THE POLITICAL
17 SIDE, MY MOTHER IS AN ASSEMBLYWOMAN FOR THE STATE OF
18 CALIFORNIA, AND I WOULD BE WILLING TO GO DOWN THAT ROUTE OR
19 WE CAN GO PUBLICLY. IT'S NOT A PROBLEM. I'VE ALREADY SENT
20 ALL THE STUFF OVER TO CHANNEL 2 ON THE TIP LINE. THEY
21 CALLED ME BACK. WE WENT OVER EVERYTHING, AND THEY'RE READY
22 TO PULL THE TRIGGER ON EVERYTHING. WE'RE JUST LETTING YOU
23 KNOW THAT WE'RE THERE.

24 I CAN'T BE ON A PROJECT LIKE WHERE WE'RE WORKING
25 AND I'M TRYING TO GET SOMETHING DONE. CAN YOU PLEASE LOOK

1 AT THE REBAR. I'LL WALK UP THERE. SINCE HIM AND ME BUTT
2 HEADS, I CAN'T EVEN BE ON THE INSPECTION WHEN I TURN A
3 INSPECTION REQUEST IN. TO POUR CONCRETE I HAVE TO TURN IN
4 A 24-HOUR NOTICE FOR HIM TO COME OUT AND LOOK AT IT. HE'LL
5 JUST COME OUT AND LOOK AT IT, WHATEVER, WALK AWAY. HE
6 WON'T TAKE IT HANDWRITTEN. IT HAS TO BE TYPED ON COMPUTER
7 WHICH IS NOT PART OF CONTRACT. HE'LL LOOK AT IT, WALK
8 AWAY, AND WHATEVER. THEN HE'LL FAIL YOU LATER ON.
9 NOBODY WANTS TO WORK THERE BECAUSE HE'S GOING TO FAIL US.
10 WHY EVEN TRY? WHY CARE? SO THEN WHAT WILL HAPPEN IS YOU
11 HAVE TO TURN IN A 24 HOUR BATCH PLAN INSPECTION AND WAIT 24
12 HOURS FOR IT TO GET POURED. IT TAKES ME THREE DAYS TO POUR
13 ONE PIECE OF CONCRETE, AND YOU KNOW WHAT? WE DIDN'T BID IT
14 THAT WAY.

15 MR. VITALE: WE HAVEN'T GOT THE TIME TO GET INTO IT.

16 MR. SMITH: I GOT IT. I GOT THAT.

17 MR. VITALE: I WOULD LOVE TO SIDE BAR WITH YOU. I SEE
18 IT AS A RESOLVABLE ISSUE. THERE'S A COUPLE QUESTIONS I'VE
19 GOT, BUT WE COULD STAND ASIDE FOR AN HOUR AND TALK ABOUT
20 THIS AND GET TO WHERE THE RUBBER MEETS THE ROAD AND TURN
21 THIS THING AROUND.

22 MR. CATES: I THINK THAT'S A GOOD IDEA. IF YOU'LL
23 MEET WITH JAMES AT THE END OF THE MEETING, ASSUMING THAT
24 YOU HAVE THE TIME TO STICK AROUND.

25 I WANT YOU ALL TO KNOW THAT EVEN THOUGH WE MAY

1 NOT HAVE THE JURISDICTION TO FIX THINGS THAT YOU WANT
2 FIXED, WE'RE GLAD YOU PUBLICIZED THESE PROBLEMS, AND WE'LL
3 DO WHAT WE CAN TO GET THE PEOPLE WHO DO HAVE RESPONSIBILITY
4 TO EXERCISE IT THE RIGHT WAY.

5 ANYONE ELSE WITH ANYTHING THAT HASN'T ALREADY
6 BEEN SAID? I'LL ALLOW FIVE MINUTES, AND THEN, YOU KNOW, WE
7 HAVE OUR REGULAR BUSINESS TO GET ON WITH.

8 MR. HERNANDEZ: HE COVERED IT PRETTY WELL. MY NAME IS
9 DAVID HERNANDEZ. I'M WITH BENJAMIN CONSTRUCTION AND
10 DEVELOPMENT. I'M ONE OF THE CARPENTERS ON THIS JOB. I WAS
11 THE LEADMAN ON THE JOB, AND I WAS TAKING CARE OF ALL THE
12 PAPERWORK, DAILY REPORTS, AND I'VE LOGGED THIS ENTIRE
13 EPISODE WITH THIS INSPECTOR. SO BOTTOM LINE HE'S A DIRTY
14 INSPECTOR, AND I WAS DOING A LITTLE RESEARCH MYSELF ONLINE,
15 AND I JUST WANT TO ASK YOU A QUESTION. IS THERE A DIRECTOR
16 OF FACILITIES AND CONSTRUCTION? IS THERE A PERSON IN THAT
17 POSITION?

18 MR. CATES: YES. CHIEF OF FACILITIES NELSON
19 CAYAYBYAB.

20 MR. HERNANDEZ: THAT'S CHIEF OF FACILITIES OFFICER
21 NELSON CAYABYAB, BUT OVER HERE I SEE THERE'S A VACANT
22 DIRECTOR OF FACILITIES AND CONSTRUCTION WHO OVERLOOKS --

23 MR. HOCUTT: THERE'S NO ONE THERE. IT'S NELSON.

24 MR. HERNANDEZ: THAT'S ANOTHER GOOD POINT. THERE'S
25 NOBODY ABOVE, DIRECTLY ABOVE THIS INSPECTOR, AND ANSON RANE

1 IS THE PROJECT MANAGER. ALL THESE COMPLAINTS WE COMPLAINED
2 TO ANSON RANE, MY FOREMAN AND I. WE COMPLAINED TO HIM ON
3 12-7-2016 ABOUT WHAT WAS GOING ON IN THIS PROJECT.
4 APPARENTLY NOTHING IS GOING ABOVE HIM, AND I SEE HERE SINCE
5 THERE'S NOBODY ABOVE HIM, EVERYTHING STOPS AT ANSON RANE.
6 WE COMPLAINED TO HIM -- I HAVE IT ALL DOCUMENTED -- I DON'T
7 EVEN KNOW HOW MANY TIMES, BUT IT TURNED INTO ALMOST A DAILY
8 THING OF COMPLAINING ABOUT NEEDING THAT INSPECTOR TO LEAVE
9 BECAUSE HE WAS DELIBERATELY TRYING TO MAKE US FAIL.

10 EARLY ON THE JOB HE THREATENED OUR FOREMAN
11 TELLING US IF HE DOES NOT GET ANSWERS TO HIS QUESTIONS,
12 HE'S GOING TO MAKE IT HARD ON US, AND HE MADE GOOD ON THAT.
13 HE HAD A PROBLEM WITH ME. APPARENTLY NOT WANTING -- I WAS
14 TOLD NOT TO EVEN TALK TO HIM ANYMORE, AND HE WOULD STILL BE
15 ON MY BACK, AND I WOULD SAY, "I CAN'T TALK TO YOU," AND
16 THAT'S WHY HE WENT AND THREATENED HIM.

17 SO, THE OTHER POINT IS THE GENERAL CONTRACTOR
18 G2K, THEY HAVE BEEN PAID I MEAN A LOT OF MONEY FOR THIS
19 PROJECT THAT THEY'VE BEEN BILLING FOR THINGS THAT HAVEN'T
20 BEEN PURCHASED. LIKE BUILDING D. YOU HAVE -- I KNOW
21 THEY'VE BEEN BILLED. THEY BILLED THE DISTRICT FOR
22 CARPETING, FURNITURE, AND THIS WAS BACK IN PROBABLY
23 FEBRUARY OR EARLIER. THERE'S NO FURNITURE. THERE'S NO
24 CARPET.

25 MR. DEVEER: YOU KNOW FOR A FACT IT'S NOT STORED

1 SOMEWHERE?

2 MR. HERNANDEZ: IT'S NOT THERE.

3 MR. DEVEER: IT'S NOT STORED OFF SITE?

4 MR. HERNANDEZ: NO.

5 MR. CATES: WOULD THEY SAY IT'S STORED OFF SITE OR ON
6 ITS WAY?

7 MR. VITALE: THEY SHOULD. BECAUSE THEY'RE RESPONSIBLE
8 FOR IT.

9 MR. CATES: OTHERWISE THAT'S ILLEGAL; RIGHT? IT'S
10 JUST FRAUD.

11 MR. HERNANDEZ: THEY'VE BILLED FOR A LOT OF THINGS,
12 AND WHAT'S HAPPENING IS THEY'RE NOT EVEN PAYING THE SUBS.
13 THEY'RE PAYING THE SUBS \$20,000 A WEEK AND THAT DOESN'T
14 COVER PAYROLL.

15 MR. SMITH: THAT'S WHY THE BONDING COMPANY STEPPED IN.
16 SURETY IS IN CHARGE OF THE PROJECT.

17 MR. HERNANDEZ: THEY'RE NOT PAYING -- THEY'RE
18 PARTIALLY PAYING FOR OUR PAYROLL. IT'S NOT COVERING THE
19 TAXES, FEES, MY RETIREMENT, MY VACATION, YOU KNOW.

20 MR. HOCUTT: AGAIN, DO YOU HAVE AUDITABLE
21 DOCUMENTATION TO DEMONSTRATE WHAT YOU'RE SAYING?

22 MR. HERNANDEZ: YES, WE DO.

23 MR. HOCUTT: CAN WE GET COPIES OF THAT?

24 MR. HERNANDEZ: YES, YOU CAN.

25 MR. CATES: IT WOULD BE WORTH YOUR WHILE TO MAKE

1 COPIES OF ALL THE RELEVANT DOCUMENTS AND IN ADDITION A
2 WRITTEN NARRATIVE OF WHAT YOU'VE BEEN EXPLAINING AT THE
3 MEETING TONIGHT.

4 MR. SMITH: ON ALL THE T&M THAT THEY TURNED IN, THEY
5 NEVER PAID THE BENEFIT PACKAGE INTO THE UNION SO THESE GUYS
6 ARE PROBABLY A MILLION IN RIGHT NOW.

7 MR. CATES: THAT'S THE GENERAL'S FAULT FOR WHICH THE
8 GENERAL SURETY IS LIABLE BUT INDIRECTLY THE DISTRICT;
9 CORRECT? AM I RIGHT ON THAT?

10 MS. RAHN: WELL --

11 MR. CATES: IF THE SUBS AREN'T BEING PAID --

12 MS. RAHN: THIS IS THE PROBLEM WITH THIS STUFF. THAT
13 IDEA THAT YOU HOPE IT ALL GETS WORKED OUT AT THE END WHICH
14 DOESN'T HELP ANY SUB IN THE WORLD.

15 MR. VITALE: THE PROBLEM IS NOT WITH THE SUBS. YOU
16 SAY IT'S WITH THE SUBS, AND IT SOUNDS TO ME LIKE THEY'RE
17 PROVIDING THE DOCUMENTATION.

18 MS. RAHN: YOU DIDN'T HEAR WHAT I SAID. IN THE END
19 WHEN SOMETHING HAS A BOND, THE HOPE IS -- THIS DOES NOT
20 HELP YOU GUYS AT ALL -- THAT EVENTUALLY IT GETS WORKED OUT
21 LIKE WITH THE INSURANCE AND ALL, BUT THAT HURTS YOU GUYS IN
22 THE NOW. IT DOESN'T HELP YOU GUYS NOW. SO IT'S A HUGE
23 PROBLEM, AND I'M VERY GLAD YOU GUYS BROUGHT IT HERE.
24 AGAIN, THE MORE PLACES YOU GO, THE MORE THE STORY WILL BE
25 TOLD, AND THE MORE SOMEONE WILL FIGURE OUT THE ANGLE TO

1 WORK ON IT.

2 MR. SMITH: EVERYBODY IS VERY CLOSE TO WALKING ON THE
3 JOB PERIOD.

4 MS. RAHN: IT SOUNDS LIKE THERE IS A GENERAL
5 CONTRACTOR PROBLEM, AND THE PERSON YOU'RE TALKING ABOUT.
6 THERE'S TWO. THEY'RE BOTH AN ISSUE.

7 MR. SMITH: YES, MA'AM.

8 MR. VITALE: AND YET THE ARCHITECT AND THE INSPECTOR
9 ARE ALL SUPPOSED TO REVIEW AND COSIGN THE REQUESTS FOR
10 PAYMENTS AS THEY COME THROUGH ON A MONTHLY BASIS. SO THAT
11 ALSO SUGGESTS THAT EITHER THEY'RE PULLING THE WOOL OVER THE
12 EYES --

13 MS. RAHN: AS SOON AS THERE IS PROOF OF THAT IN
14 WRITING, I WILL GO WITH YOU ON THAT. UNTIL THERE IS
15 PHYSICAL EVIDENCE, THAT'S A DANGEROUS PLACE TO GO. I THINK
16 IT'S ON YOU GUYS TO PROVE IT, AND WHEN YOU HAVE IT, PROVE
17 IT FOR GOD'S SAKE, BUT RIGHT NOW IT'S HARD TO BE ON A
18 COMMITTEE AND SAY, YEAH, THERE'S CRIMINAL ACTIVITY. WE
19 CAN'T DO THAT. SO WHEN YOU CAN PROVE IT AND PUT IT IN
20 WRITING, I AGREE WITH WHAT WAS SUGGESTED IS GO TO THE CITY
21 ATTORNEY.

22 MR. CATES: IN THE MEANTIME GO TO THE CHIEF OF
23 FACILITIES.

24 MS. RAHN: IF YOU CAN GET AN APPOINTMENT.

25 MR. CATES: IF YOU CAN GET AN APPOINTMENT AFTER YOU

1 HAVE PUT TOGETHER THIS NARRATIVE FOR THE RECORD.

2 MR. SMITH: WITH ALL DUE RESPECT, IN DOING ALL THIS
3 DOCUMENTATION AND GOING PROFESSIONALLY, WE'VE BEEN WASTING
4 OUR TIME FOR A PROBLEM THAT IS NOT OURS. IT'S JUST EASIER
5 TO HAVE IT ON CHANNEL 2 NEWS AT ELEVEN O'CLOCK. IT'S VERY
6 EASY.

7 MR. CATES: IT PROBABLY WON'T GET YOU THE RESULTS THAT
8 YOU WANT.

9 MR. SMITH: I JUST HAVE TO MAKE ONE PHONE CALL FOR
10 THAT. WHY DO I HAVE TO DOCUMENT, TURN IT IN, PROVE THIS,
11 PROVE THAT FOR SOMETHING THAT THEY'RE DOING THAT'S WRONG?

12 MR. BOLAND: I AGREE WITH THAT.

13 MR. SMITH: WHY AM I GOING TO WASTE MORE OF MY TIME?
14 I'M SUPPOSED TO BE AT OPEN HOUSE. I'M WASTING YOUR TIME
15 RIGHT NOW WHICH YOU GUYS DON'T DESERVE AND DON'T NEED.
16 IT'S OPEN HOUSE FOR MY DAUGHTER RIGHT NOW, AND I'M SITTING
17 RIGHT HERE. I GAVE HER \$20 TO BUY SOMETHING OVER THERE. I
18 FEEL LIKE A BUTT HOLE RIGHT NOW BECAUSE I'M OVER HERE AT A
19 MEETING THAT THEY TOLD ME WAS TOMORROW.

20 MR. CATES: UNDERSTOOD.

21 MR. SMITH: LIKE I SAID, I'M A HARD CHARGER, AND THIS
22 IS NOT GOING TO GO AWAY. TRUST ME.

23 MR. CATES: PLEASE, WE'VE GOT TO MOVE ON, BUT I WANT
24 EVERYONE WHO HAS COME IN GOOD FAITH TO BE ABLE TO BE HEARD.

25 MR. DUNFORD: MY NAME IS TOM DUNFORD. I'M EXECUTIVE

1 DIRECTOR OF WESTERN STATES DRYWALL LATHING LABOR MANAGEMENT
2 COOPERATION COMMITTEE. I'M HERE AS AN AGENT ON BEHALF
3 CONTRACTUALLY WITHIN OUR COLLECTIVE BARGAINING AGREEMENT
4 FOR THE CARPENTERS TRUST FUNDS IN SOUTHERN CALIFORNIA.

5 I HAVE TEN FIELD MEN IN THE STATE OF CALIFORNIA,
6 FIVE IN SOUTHERN CALIFORNIA. OUR PRIMARY PURPOSE IS TO
7 MAKE SURE TRUST FUND CONTRIBUTIONS ARE BEING PAID INTO THE
8 TRUST. I HAVE THREE GUYS WORKING ON THIS PROJECT ALONE. I
9 HAVE PERSONALLY SPENT MY TIME -- MY OFFICE IS IN ONTARIO --
10 GOING DOWN TO G2K'S OFFICE, SITTING DOWN WITH THEM.
11 MONTHLY CONTRIBUTIONS OF ABOUT \$50,000 A MONTH THAT IS
12 SUPPOSED TO BE PAID INTO THE GUYS, I'M LUCKY TO GET A CHECK
13 FOR 20. ONE TIME I GOT 30.

14 WHERE I'M GOING WITH THIS HERE IS I WORK VERY
15 CLOSELY WITH BENJAMIN CONSTRUCTION. BASICALLY WHAT IT
16 COMES DOWN TO, BASICALLY THE REASON THE BONDING COMPANY IS
17 OUT THERE RIGHT NOW IS BECAUSE I PUSHED OUR TRUST FUND TO
18 PUT A LIEN ON. I THINK IT WAS FOR \$172,000. NOW I HAVE
19 ANOTHER LIEN RIGHT HERE THAT I'M GOING TO PUT ON THAT IS
20 GOING TO RAISE THAT LIEN UP TO 310,000. SLIGHTLY LESS THAN
21 \$310,000. MIND YOU, THIS IS ONE CONTRACTOR. I HAVE BEEN
22 WORKING WITH BENJAMIN. THEY HAVE REALLY WANTED TO STEP
23 FORWARD AND MAKE THINGS GOOD.

24 THERE'S A COUPLE OTHER CONTRACTORS OUT THERE.
25 WE'RE TALKING ABOUT FRAUD AND STUFF LIKE THAT. I'M GOING

1 TO MENTION THE NAMES, BUT I'M NOT GOING TO TELL YOU WHAT I
2 KNOW. I HAVE TO GET THIS STUFF TOGETHER. I HAVE THREE
3 GUYS WORKING ON IT. WE HAVE SOME VERY SERIOUS CASES GOING
4 ON RIGHT HERE. NUMBER ONE, PERSHA HAS BEEN OUT ON THE JOB.
5 NOT ONE CONTRIBUTION HAS BEEN PAID INTO THE CARPENTERS. I
6 GUARANTEE YOU THERE'S GOING TO BE A LIEN ON THAT WHEN I GET
7 DOWN TO IT. CLASSIC ENGINEERING, ANOTHER ONE. WE'RE GOING
8 TO BE PUTTING A LIEN ON THE PROBLEM ONCE WE GET ALL OUR
9 DETAILS DOWN. ANOTHER ONE HERMAK. I'M GOING TO TELL YOU
10 SOMETHING. AFTER THE INVESTIGATION AND EVERYTHING IS
11 GOING. MR. HERMAK WANTS TO MEET WITH ME TOMORROW. DON'T
12 WE FIND THAT AWFUL COINCIDENTAL? I'VE ALREADY GOTTEN
13 \$21,000 FROM G2K ON THIS, AND I HAD TO DRAG IT OUT TO GET
14 TWO CHECKS FROM HIM FOR \$20,000. IF HE'S GOING TO PLAY AND
15 WEAR BIG BOY PANTS, HE NEEDS TO PAY HIS DAMN BILLS. THAT'S
16 WHAT IT COMES DOWN TO.

17 WE ALSO MENTION IN HERE GET AHOLD OF GORDON
18 CAPRIOUR? IS THAT CLOSE ENOUGH? THAT'S THE EXECUTIVE
19 DIRECTOR FOR FACILITIES. I MADE CONTACT WITH HIM TWICE.
20 NOW, I'M GOING TO HAVE TO SAY I WASN'T WARM AND FUZZY WITH
21 MY LAST EMAIL. I HAVE IT WITH ME IF YOU GUYS WANT TO READ
22 IT, BUT BASICALLY HE DIDN'T REACH OUT TO ME. I WENT TO
23 EXPRESS THE PROBLEMS THAT WE'RE HAVING. WE'RE IN VIOLATION
24 OF TWO CALIFORNIA LAWS. MAYBE FEDERAL LAWS.

25 PART OF THE FRINGE PACKAGE IS A VACATION FUND.

1 I'LL MAKE MYSELF VERY QUICK HERE. THE GUYS ARE TAXED ON
2 THIS. THAT MONEY IS PULLED OUT AND IS PAID IN AS PART OF
3 THE FRINGE PACKAGE. THESE GUYS HERE ARE NOT GETTING THIS
4 MONEY. THEY'RE GOING TO BE TAXED ON IT BY THE FEDERAL
5 GOVERNMENT. NUMBER TWO, THEY HAVE UNION DUES. THEY'RE
6 TAXED ON THOSE UNION DUES. THEY CALL THEM SUPPLEMENTAL
7 DUES. THEY'RE TAXED ON THOSE. ALSO BASED ON THAT VACATION
8 PLAN, THE CARPENTERS WENT TO THE STATE OF CALIFORNIA, AND I
9 THINK WE ALL KNOW ABOUT WHERE IT COMES DOWN TO THE BREAKS.
10 SO MANY HOURS YOU WORK, I THINK IT'S 30 HOURS YOU GET ONE
11 HOUR SICK LEAVE. THAT'S WHAT IT IS. THEY WORK WITH THE
12 STATE OF CALIFORNIA AS MAKING THAT PART OF THE FRINGE
13 PACKET, AND THEY GOT DOCUMENTATION TO SAY THAT A CONTRACTOR
14 BASED ON WHAT'S PAID INTO THE TRUST FUND THAT IS GOING TO
15 BE CALCULATED TOWARDS THEIR SICK TIME. WE'RE IN VIOLATION
16 OF THAT CALIFORNIA STATE LAW BECAUSE WHAT IS HAPPENING
17 RIGHT NOW, THESE GUYS ARE AREN'T BEING PAID THEIR SICK
18 TIME, AND IN LIEU THEY'RE BEING TAXED ON TOP OF THEIR
19 VACATION. ALL OF THAT GOES HAND IN HAND TOGETHER.

20 WE HAVE A VERY SERIOUS PROBLEM, AND I HAVE
21 REACHED OUT TO NELSON, AND BASICALLY THE LAST THING I GOT
22 WAS A LETTER FROM HIS ATTORNEY. THAT'S OKAY. I HAVE
23 ATTORNEYS TOO. BUT ON THE SAME TOKEN THESE GUYS ARE BEING
24 JEOPARDIZED. THEY'RE NOT BEING MADE WHOLE. I SEE SOME
25 THINGS GOING ON WITH SOME CONTRACTORS, AND I'M NOT GOING TO

1 SIT HERE AND TELL YOU I'LL BE ABLE TO PROVE EVERYTHING.
2 I'M NOT. I'VE BEEN AROUND TOO LONG TO TELL YOU THAT, BUT I
3 WILL BRING SOME THINGS OUT IN THE AIR, AND THERE IS GOING
4 TO BE SOME PROBLEMS HERE, AND I'M GOING TO CONTINUE. IF I
5 HAVE TO PUT ALL FIVE GUYS ON THIS, ON THIS SCHOOL -- AND I
6 COVER ALL OF SOUTHERN CALIFORNIA WITH THESE GUYS -- I'M
7 GOING TO DO IT JUST TO PROVE A POINT, AND I REALLY
8 APPRECIATE YOUR TIME HERE. I'M NOT AS ELEGANT AS SOME OF
9 THE OTHER SPEAKERS HERE, BUT THANK YOU FOR YOUR TIME

10 MR. CATES: AND THANK YOU ALL FOR APPEARING. I HOPE
11 YOU LEAVE HERE THINKING THAT YOUR TIME WAS WELL SPENT
12 BECAUSE I THINK IT WAS, AND WE'LL DO WHAT WE CAN TO
13 PUBLICIZE THE PROBLEM AND SEE THAT THE RESPONSIBLE PEOPLE
14 TAKE THE NECESSARY ACTION. WE CAN'T PROMISE. WHAT I CAN
15 PROMISE, THOUGH, IS IF YOU SUBMIT A WRITTEN COMPLAINT
16 BACKED UP BY EVIDENCE, WE CAN POST IT ON OUR WEBSITE.
17 AGAIN, I CAN'T GUARANTEE YOU HOW MANY EYEBALLS ARE GOING TO
18 SEE THAT, BUT THE MORE PUBLICITY THERE IS, THE MORE PEOPLE
19 WILL SEE, AND IT WILL HAVE A SNOWBALL EFFECT. ANYWAY,
20 THANK YOU ALL FOR APPEARING AND TAKING TIME.

21 IS THERE PUBLIC COMMENT ON ANY OTHER SUBJECT?

22 HEARING NONE, WE MOVE ON TO REGULAR BUSINESS, AND
23 THE FIRST THING IS WHETHER OR NOT THE BOARD OF EDUCATION
24 HAS TAKEN ANY ACTION ON THE PROBLEM OF LEGAL FEES PAID OUT
25 OF TT FUNDS.

1 MR. BOLAND: DID YOU EVER GET THE BREAKDOWN?

2 MR. CATES: NO. I'LL GET TO THAT IN JUST A MOMENT. I
3 HAVE RECEIVED NOTHING.

4 MR. SMITH: THANK YOU FOR YOUR TIME. SORRY IT GOT A
5 LITTLE HEATED.

6 MR. CATES: THANK YOU FOR COMING.

7 KIM, DO YOU KNOW IF THE BOARD HAS EVEN CONSIDERED
8 THE MATTER SINCE WE SENT THE NOTICE?

9 MS. KENNE: I ASKED THAT YOUR LETTER REGARDING THE
10 LEGAL FEES BE PUT ON THE LAST FACILITIES MEETING IN JULY,
11 AND THE ANSWER WAS THAT NELSON WASN'T GOING TO BE THERE,
12 AND IT WOULD BE HEARD ON THE FOLLOWING MONTH. I WILL -- I
13 CAN'T REMEMBER IF I SENT THIS TO YOU. SO THEY PROVIDED
14 THAT DETAILED LIST OF THE --

15 MR. CATES: OH, YES. THEY PROVIDED A LIST. THEY
16 SIMPLY ALLOCATED THE FUNDS TO SCHOOLS.

17 MS. KENNE: NOT ALL OF IT THEN. THEN I TOOK THAT
18 INFORMATION AND GROUPED IT BY WHO THEY WERE ALLOCATING IT
19 TO, AND SO I SEE \$44,000 THAT SAID 7-11 COMMITTEE, AND
20 ACTUALLY WHEN WE WERE GIVEN THE MINUTES, BECAUSE WE'RE
21 APPROVING THEIR CONCLUSION, THE 7-11 COMMITTEE AT TOMORROW
22 NIGHT'S MEETING, AND THEY PROVIDED US WITH ALL THE MINUTES,
23 AND I SEE THAT TWO LAWYERS WENT TO MOST OF THE MEETINGS.
24 SO I GUESS THAT'S HOW THAT 44,000 OR AT LEAST SOME OF IT
25 CAME ABOUT. THESE WERE ONLY THE BILLS THROUGH APRIL, AND

1 THIS COMMITTEE MET ALL THE WAY THROUGH JULY. SO I WILL
2 BRING THAT UP THAT IT CAN'T COME UNDER TT. THE 7-11
3 COMMITTEE HAD ABSOLUTELY NOTHING TO DO WITH TT.

4 MR. CATES: SURPLUS PROPERTY.

5 MS. KENNE: AS WELL AS THE LINDA VISTA DISPOSITION
6 WHICH WAS ONLY 4,000. BUT THAT ALMOST \$50,000 SHOULD BE
7 REMOVED FROM TT, BUT YOU ALSO NOTICE THAT THERE'S 228,000
8 BILLED FOR WASHINGTON ELEMENTARY. SO THE PROBLEM THAT
9 THESE GENTLEMEN WERE JUST SPEAKING ABOUT, WE'VE ALREADY
10 PAID 228,000 IN LEGAL FEES TO THE LAWYERS HERE FOR THAT.

11 MR. CATES: BUT WE DON'T KNOW THE SERVICES FOR WHICH
12 PAYMENTS WERE MADE. WE CAN ASSUME, BUT THE ONLY WAY WE'RE
13 GOING TO FIND OUT WHAT SERVICES WERE RENDERED AND PAID FOR
14 OUT OF TT FUNDS IS IF WE GET A DESCRIPTION OF THE SERVICES.
15 THE SPREADSHEET THAT THE DISTRICT SENT US --

16 MS. RAHN: I DON'T KNOW ABOUT THAT. BECAUSE IT'S
17 CODED TO TT. THAT'S ALL YOU REALLY NEED.

18 MR. CATES: NO, NO. EXCUSE ME. THE MERE FACT THAT IT
19 IS CODED TO TT DOESN'T MEAN THAT IT'S AN APPROPRIATE
20 CODING.

21 MS. RAHN: I'M SAYING IT'S NOT APPROPRIATE. THAT'S
22 WHAT I'M SAYING TO YOU. WE HAVE TWO NONAPPROPRIATES, AND
23 ON WASHINGTON IT COULD BE COMPLETELY APPROPRIATE, BUT IT'S
24 VERY MUCH -- IT'S DIFFERENT DATA. IT'S A LOT HIGHER THAN
25 THE OTHER LEGAL FEES WHICH MEANS THERE'S A PROBLEM OVER

1 THERE. SO EITHER WAY, ONE IS PLEASE DON'T CODE TO WHEN YOU
2 CAN'T DO IT LIKE THIS, THE 7-11 COMMITTEE, AND ANOTHER IS
3 UH-OH, WHY ARE THESE LEGAL FEES OUT OF CONTROL UNDER THIS
4 FUND.

5 AND MAYBE, STEVE, ARE YOU TAKING NOTES? MAYBE
6 THAT SHOULD COME UP TOO AT FACILITIES.

7 MR. CATES: THE BOARD ALREADY HAS RECEIVED FORMAL
8 NOTICE FROM THE COMMITTEE THAT THE BOARD RESOLUTIONS --
9 AND THERE ARE THREE OF THEM -- WOULD ALLOW THE ILLEGAL
10 EXPENDITURE OF TT FUNDS, AND WHAT WE'VE JUST BEEN TALKING
11 ABOUT STRONGLY SUGGESTS THAT THERE HAS BEEN ILLEGAL
12 EXPENDITURE OF TT FUNDS.

13 MS. KENNE: IT'S ALL RELATED TO FACILITIES THOUGH.
14 I'M JUST SAYING.

15 MR. CATES: I DON'T MEAN TO BE CUTE, BUT SO WHAT.

16 MS. KENNE: THEY'RE NOT USING IT FOR SPECIAL
17 EDUCATION. THEY'RE NOT USING IT FOR HUMAN RESOURCES.

18 MR. CATES: THEY'RE NOT PAYING IT TO ME, BUT THAT DOES
19 NOT MEAN IT'S A LEGITIMATE EXPENDITURE.

20 MS. KENNE: NO, NO. SO I'VE ASKED THAT THE LEGAL
21 ISSUE BE PUT ON THE FACILITIES MEETING AGENDA, AND WE'LL
22 SEE IF THAT ACTUALLY HAPPENS. HOPEFULLY THERE WILL BE AN
23 AGENDA OUT BY MONDAY SINCE THE MEETING IS NEXT THURSDAY. I
24 HAVE STRONGLY SUGGESTED THAT WE NOT HAVE OUR FACILITIES
25 MEETING ON THE SAME EXACT DAY AND A HALF HOUR BEFORE THE

1 REGULAR MEETING BECAUSE, AS YOU CAN SEE, THESE BOARD
2 REPORTS SAY THEY HAVE ALL BEEN VETTED BY THE FACILITIES
3 COMMITTEE WHO HASN'T EVEN SEEN THEM YET. THEY WILL SEE
4 THEM AND DISCUSS THEM FOR THE FIRST TIME A HALF HOUR BEFORE
5 THEY GO TO THE FULL BOARD, AND WE DO NOT HAVE A SCHEDULE
6 FOR THE YEAR, AND I BROUGHT IT UP AND EVERY MONTH WE JUST
7 SCHEDULE THE NEXT MONTH'S MEETING ON THE SAME DAY AS THE
8 BOARD MEETING BECAUSE OUR PRESIDENT COULDN'T MAKE IT THIS
9 MONTH OR LAST MONTH BECAUSE HE HAD OTHER COMMITMENTS. AND
10 IT'S LIKE IF WE WOULD PUT A SCHEDULE TOGETHER FOR THE WHOLE
11 YEAR, MAYBE YOU WOULD STOP MAKING COMMITMENTS ON THE DAYS
12 YOU'RE SUPPOSED TO BE HERE.

13 MR. HOCUTT: SMALL TECHNICAL QUESTION IF I MAY. WHO
14 CODES THESE CHARGES TO TT? WHO ACTUALLY DOES THAT?

15 MS. KENNE: WHEN YOU SAY CODES, SO THE ORIGINAL
16 CONTRACT THAT WAS APPROVED BY THE BOARD HAD A RESOURCE
17 FUNDING SOURCE ON THE BOTTOM OF IT SO THAT'S WHAT THE
18 REQUEST CAME IN AS. IT SAID TT GENERAL ADMIN I'M SURE AT
19 THE BOTTOM. SO IT'S CONTRACTED. NOW, THIS IS JUST THEIR
20 DETAILED BILLING OF WHAT PROJECTS THEY WORKED ON ON THAT
21 CONTRACT. SO AS OPPOSED TO THE STAFF SAYING WE WANT SOME
22 MONEY FOR GENERAL FACILITIES LEGAL WORK, AND WE WANT SOME
23 MONEY -- WE WANT SOME OF YOUR TIME FOR OUR TT WORK AND
24 HERE'S ONE SOURCE FOR THE REGULAR WORK AND ONE SOURCE FOR
25 THE TT WORK, THEY SAID JUST CHARGE IT ALL TO TT. IF WE DID

1 NOT HAVE THIS DETAILED BILLING, WE WOULDN'T KNOW 7-11 OR
2 LINDA VISTA WAS IN THERE.

3 MR. BOLAND: I THINK THAT'S GOING TO BE THE MAIN FOCUS
4 OF THIS COMMITTEE IS THAT YOU HAVE A SCHOOL DISTRICT THAT
5 IS BASICALLY ROBBING PETER TO PAY PAUL. EVERY CHANCE THEY
6 GET, THEY'RE GOING TO BUNDLE UP SOMETHING AND SAY IT GOES
7 TO TT. IT'S NOT AN EVIL THAT THEY'RE DOING. THEY'RE JUST
8 TRYING TO PAY BILLS, BUT THAT'S EXACTLY WHERE WE'RE
9 SUPPOSED TO STEP IN AND SAY THAT MONEY FOR THOSE LAWYERS,
10 THAT 44 GRAND YOU JUST TALKED ABOUT, I WAS ON THAT
11 COMMITTEE, THAT 7-11 COMMITTEE, THAT SHOULDN'T COME OUT OF
12 TT. IT HAD NOTHING TO DO WITH CONSTRUCTION. SAME THING
13 WITH THE SECURITY SERVICE THEY HAD FOR THE SCHOOL. THEY'RE
14 NOT ALL WATCHING CONSTRUCTION. THEY'RE WATCHING SCHOOLS;
15 RIGHT? SO THAT SHOULD BE MAYBE SOME OF IT COMES OUT OF TT,
16 BUT THEY CHARGED A LOT OF IT OR ALL OF IT TO TT.

17 MR. CATES: THERE'S ANOTHER ITEM THAT MAY BE EVEN
18 LARGER, AND THAT IS CHARGING 100 PERCENT OF THE
19 COMPENSATION OF THE FACILITIES STAFF TO TT. A HUNDRED
20 PERCENT

21 MR. BOLAND: I THOUGHT OF THAT TOO. BECAUSE A HUNDRED
22 PERCENT OF THEIR TIME IS NOT SPENT ON TT RELATED STUFF.
23 THAT'S A CLEAR VIOLATION. THERE'S NO WAY THEY CAN COME
24 AROUND AND PROVE THAT 100 PERCENT OF THEIR TIME IS TT
25 RELATED. IF A HUNDRED PERCENT OF THEIR PAYCHECK IS COMING

1 FROM TT, THAT'S A VIOLATION, AND I CHALLENGE ANYBODY TO SAY
2 THAT THAT'S NOT.

3 MR. CATES: WELL, SURE IT'S A VIOLATION, BUT THE
4 QUESTION IS WHAT CAN BE DONE ABOUT IT? THAT'S THE ISSUE
5 WITH WHICH WE'VE BEEN GRAPPLING. ANYWAY, I SEE THAT THE
6 ANSWER TO IV-A IS NOTHING. NO ACTION HAS BEEN TAKEN TO
7 DATE.

8 MS. KENNE: SO IF I PUT IT ON FACILITIES OR I REQUEST
9 IT TO BE ON THE AGENDA, AT SOME POINT -- LET'S SAY IT'S NOT
10 ON THE AGENDA. I DON'T KNOW IF YOU WANT TO PUT THIS ALL ON
11 STEVE OR IF TWO OR THREE OTHER PEOPLE FROM THE COC SHOULD
12 SHOW UP WITH FACILITIES AND ALL SPEAK FOR AS LONG AS YOU
13 CAN DURING PUBLIC COMMENTS SAYING, HEY, WE DON'T UNDERSTAND
14 WHY WE KEEP SENDING THESE LETTERS TO THE DISTRICT AND NO
15 ONE IS RESPONDING.

16 MR. HOCUTT: IF WE KNOW THAT THAT IS GOING TO BE ON
17 THE AGENDA, THEN WE WILL --

18 MS. KENNE: YOU CAN COME TO THE BOARD MEETING TOMORROW
19 NIGHT AND SAY THIS.

20 MS. RAHN: YEAH, YOU CAN DO PUBLIC COMMENT.

21 MS. KENNE: YOU CAN COME TO THE BOARD MEETING TOMORROW
22 NIGHT AND SAY IT. YOU COULD MAKE A CLEAR CASE THAT WE
23 DON'T HAVE ENOUGH MONEY TO PRIORITIZE PROJECTS THAT NEED TO
24 BE DONE BECAUSE IT'S BEEN SPENT FOR THESE OTHER THINGS
25 WHICH MAKES IT EXACTLY WHAT THE ITEM TOMORROW

1 SAYS.

2 MR. HOCUTT: YOU'RE KIND OF MAKING OUR POINT FOR US.

3 MS. KENNE: BUT SOMEONE HAS TO COME AND SAY IT.

4 MS. RAHN: SHE IS ONE OF SEVEN. THEY CAN DECIDE, OH,
5 IT'S KIM AGAIN. IT HAS -- WHICH I'VE BEEN ON THE BOARD
6 WITH HER. SO IT JUST NEEDS A DIFFERENT VOICE. IT NEEDS A
7 DIFFERENT VOICE.

8 MR. CATES: WHY? THIS COMMITTEE HAS FORMALLY
9 DISAPPROVED 113 AND 114 TWICE.

10 MS. KENNE: BUT NOT IN PERSON. COME SEE THEIR FACES
11 AND TALK.

12 MR. CATES: I ON BEHALF OF THE COMMITTEE HAVE ADVISED
13 THE SUPERINTENDENT THAT THE DISTRICT IS IN VIOLATION OF THE
14 LAW. I HAVE ADVISED THE PRESIDENT OF THE BOARD OF
15 EDUCATION, WITH COPIES TO EVERY MEMBER OF THE BOARD, THAT
16 THESE RESOLUTIONS ARE IN VIOLATION OF THE LAW. WHAT MORE
17 DO WE NEED TO DO?

18 MS. RAHN: IT HAS TO BE PUBLIC.

19 MR. BOLAND: I READ YOUR LETTERS, AND I WOULD SAY OUR
20 JOB, WHEN YOU GO BACK TO THE MISSION OF THIS COMMITTEE, IS
21 TO REPORT TO THE SCHOOL BOARD AND TO REPORT TO THE PUBLIC.
22 WE HAVE THESE ISSUES. WE REPORT IT TO THE SCHOOL BOARD,
23 AND WE REPORT IT TO THE PUBLIC. THAT'S WHAT WE DO. IF
24 THEY DON'T DO SOMETHING ABOUT IT OR IF THE PUBLIC IS NOT
25 PAYING ATTENTION, THAT'S A SEPARATE ISSUE, BUT WE DID OUR

1 JOB. I MEAN YOU CAN'T --

2 MR. CATES: I RESPECTFULLY DISAGREE. WE HAVE NOT
3 FINISHED OUR JOB.

4 MR. HOCUTT: I AGREE.

5 MS. RAHN: NO. HE'S SAYING WE HAVEN'T DONE THE PUBLIC
6 PART. I'M JUST BRAIN STORMING, BUT EVEN IF YOU DID THAT
7 AND YOU'RE IGNORED, WELL, THEN TO COVER ALL OUR -- I WON'T
8 SAY IT -- WE CAN WRITE AN OPEN LETTER TO THE NEWSPAPER.
9 HERE IS OUR CONCERNS. I HAVE WATCHED THIS IN DISTRICT,
10 AFTER DISTRICT, AFTER DISTRICT. WHEN YOU WRITE A LETTER TO
11 A SUPERINTENDENT OR WHATEVER, TAKE THE NAMES OUT OF IT.
12 IT'S JUST EASY TO BURY. IT JUST IS. IT'S A SAD COMMENTARY
13 ON PUBLIC OFFICIALS AND THE WAY WE RUN GOVERNMENT, BUT THEY
14 DON'T HAVE TO SHOW PEOPLE THAT. IT HAS TO BE PUBLIC
15 COMMENT. IT HAS TO BE IN THE NEWS. ALL OF THOSE ARE THE
16 ONLY WAY TO GET IT OUT THERE.

17 MR. HOCUTT: WHEN YOU SAY IT HAS TO BE IN PUBLIC
18 COMMENT, I WATCH THE TV PROCEEDINGS OF THE BOARD BECAUSE
19 I'VE NOTHING ELSE TO DO.

20 MS. RAHN: WITH POPCORN?

21 MR. HOCUTT: BUT I'M HERE TO TELL YOU THOSE PUBLIC
22 COMMENTS ARE NOT WRITTEN DOWN ANYWHERE. THEY'RE RECORDED
23 AND THEY'RE BROADCAST, AND THEY ARE ETHER AND THEY ARE
24 GONE.

25 MS. KENNE: THEY'RE ON VIDEO, BUT YOU HAVEN'T SEEN HOW

1 PEOPLE SCRAMBLE BEHIND THE SCENES.

2 WHEN THE KIDS GO UP AND COMPLAIN ABOUT THE PUENTE
3 PROGRAM GOING AWAY, MIRACULOUSLY IT'S NOT. WHEN THEY
4 COMPLAINED ABOUT AMERICAN SIGN LANGUAGE GOING AWAY,
5 MIRACULOUSLY IT'S NOT.

6 MR. HOCUTT: TELL ME HOW DIFFERENT I AM THAN NORMAL
7 PEOPLE. BECAUSE IF YOU CAME TO ME AND JUST YACK, YACK,
8 YACK, LIKE I ASKED THAT GUY THREE TIMES FOR THE DOCUMENTS,
9 WHERE ARE THEY? THEY'RE GONE. I HAVEN'T SEEN THEM. I CAN
10 REACT TO A WRITTEN DOCUMENT. I CAN REACT TO A LETTER FROM
11 THE CHAIR OF THE COMMITTEE. I DON'T REACT THAT WELL TO
12 SOMEBODY JUST YACKING.

13 MS. RAHN: IT'S ALL POLITICS. THAT'S WHY I HATED
14 BEING ON THE BOARD, AND I'M ON TRANSCRIPT. IT'S ALL
15 POLITICS, AND I SAY THAT IN BOLD PRINT. BECAUSE IT'S NOT
16 RATIONAL, QUINCY. IT'S NOT RATIONAL. A RATIONAL BUSINESS
17 LEADER GETS A LETTER AND SAYS I HAVE TO DEAL WITH THIS.
18 THAT'S NOT ELECTED OFFICIALS. THAT'S NOT POLITICS. SO
19 UNFORTUNATELY THAT'S JUST THE REALITY OF IT.

20 MR. CATES: ARE YOU SAYING THAT THE ONLY THING THAT
21 THE DISTRICT WILL UNDERSTAND IS A LAWSUIT?

22 MS. RAHN: NO. I'M SAYING THEY HAVE TO GET ELECTED SO
23 THEY HAVE TO PAY ATTENTION TO THEIR PUBLIC. THERE'S
24 SOMETIMES SOMEONE THAT SEES IT AND SAYS, OH, MY GOD, WE
25 HAVE THIS PROBLEM. THERE'S REPORTERS WATCHING. SO UNLESS

1 YOU'RE IN FRONT OF THE BOARD, IT DOESN'T EXIST.

2 MR. CATES: BEFORE THE BOARD ON VIDEO, NOTWITHSTANDING
3 THE FACT THAT THEY'VE BEEN INFORMED IN WRITING MULTIPLE
4 TIMES, THE DISTRICT AND THE BOARD. SO WE'LL GET IT ON
5 VIDEO, BUT THAT IS NOT GOING TO BE ENOUGH UNLESS, QUITE
6 FRANKLY, THEY CHANGE THEIR WAYS. BECAUSE WHAT IS GOING ON
7 NOW IS ILLEGAL.

8 MS. KENNE: IT MIGHT HELP.

9 MR. VITALE: CLIFF AND FRANCIS, IF I UNDERSTOOD WHAT
10 WAS JUST SAID CORRECTLY, THE CONTENTION IS BEING MADE THAT
11 A HUNDRED PERCENT OF THE FACILITIES STAFF IS BEING PAID FOR
12 OUT OF MEASURE TT. WAS THAT A CORRECT THING?

13 MR. BOLAND: THAT'S NOT A CONTENTION.

14 MR. CATES: NO, IT'S NOT A CONTENTION. FACILITIES HAS
15 ADMITTED THAT IN WRITING

16 MS. KENNE: NOT EVERYONE. NOT EVERYONE IN THE WHOLE
17 FACILITIES. ONLY CERTAIN PEOPLE.

18 MR. CATES: THERE ARE EIGHT STAFF MEMBERS AND THE
19 CHIEF.

20 MR. VITALE: SO NOW MY QUESTION IS IN THE ANNUAL
21 BUDGET THAT IS PREPARED, THERE'S A BUDGET NUMBER IN THERE
22 FOR THE OPERATION OF FACILITIES, IS THERE NOT?

23 MR. HOCUTT: THERE IS NOT.

24 MS. KENNE: THERE IS MAINTENANCE AND OPERATIONS.

25 MR. VITALE: THERE'S NO NUMBER IN THERE? NO LINE ITEM

1 FOR ADMINISTRATIVE STAFF OF FACILITIES?

2 MR. HOCUTT: IF YOU GO LOOK AT THE OLD BUDGETS THAT
3 WERE POSTED, THE LAST ONE BACK IN FEBRUARY.

4 MS. KENNE: NOT THE TT BUDGET, BUT IN THE REGULAR
5 DISTRICT BUDGET.

6 MS. RAHN: HE'S ASKING IN THE GENERAL.

7 MR. HOCUTT: YOU'RE TALKING THE GENERAL? I'M TALKING
8 TT.

9 MR. VITALE: I'M TALKING ABOUT THE GENERAL DISTRICT
10 BUDGET. SO WHAT I'M SUGGESTING IS IF THERE'S NO LINE ITEM
11 IN THERE, THEN HOW WERE THOSE PEOPLE TO GET PAID IN THE
12 FIRST PLACE? WHERE IS THAT MONEY COMING FROM?

13 MS. KENNE: WE WOULD HAVE TO GO TAKE A LOOK. I CAN'T
14 REMEMBER WHO SAID IT. MAYBE IT WAS FRANCIS WHO SAID IT.
15 THERE'S NOT A LOT OF MONEY, AND SO THERE'S THE TT POT. SO
16 I MEAN, AND I DON'T REMEMBER. I THINK SOMEONE AT THE LAST
17 MEETING TALKED ABOUT A REPAIR AND HOW TT MONEY IS BEING
18 USED FOR REPAIRS. REPAIRS AREN'T MODERNIZATION. THEY'RE
19 REPAIRS. THERE'S A LINE THERE.

20 MR. VITALE: AND ON AN ANNUAL BASIS YOU HAVE
21 MAINTENANCE AND OPERATIONS THAT'S SUPPOSED TO ADDRESS
22 REPAIRS. IF I'M HEARING CORRECTLY THEN, THIS SIX FIGURE
23 NUMBER THAT IS BEING PULLED OUT OF TT IS ALSO NOT GOING
24 INTO MAINTENANCE AND OPERATION REPAIRS AND THE STAFF THAT
25 TAKES CARE OF THOSE. IT'S, AS YOU SAY, GOING TO TAKE CARE

1 OF THESE SALARIES. WELL, THEN IT'S VERY EVIDENT FROM AN
2 EXHIBIT STANDPOINT WHERE THE DISCONNECT IS THERE AND HOW IS
3 IT -- WELL, WE DON'T OVERSEE THEIR BUDGET. SO THE BOARD ON
4 THE OTHER HAND IN LOOKING AT THE BUDGET, HOW IS IT THAT
5 THEY DON'T SEE AND PUT THE NUMBERS TOGETHER TO SEE THAT
6 THERE'S AN IMBALANCE THERE?

7 MS. KENNE: YOU CAN'T TRANSCRIBE MY LOOKS, CAN YOU?

8 MR. VITALE: NOW WE GET TO THE POLITICS OF THE ISSUE.

9 MS. KENNE: THERE'S NOT A LOT OF DETAIL IN BUDGET
10 INFORMATION.

11 MR. VITALE: RIGHT. WHICH THEN PLAYS TO THE MEETING
12 WE'RE GOING TO HAVE TOMORROW WITH THE AUDITORS AND WHATNOT.
13 HOW IS IT THAT YOU CAN ACTUALLY SEE THESE OMISSIONS IN THE
14 OPERATIONS OF THE DISTRICT AND NOT COMMENT ON IT?

15 MS. RAHN: THAT'S FABULOUS. GOOD LUCK.

16 MR. CATES: HOW IS IT THAT A BOARD CAN'T ACT ON A
17 FORMAL NOTICE SAYING THAT YOUR RESOLUTIONS PERMIT THE
18 VIOLATION OF LAW? THE RHETORICAL QUESTION IS WHY DOESN'T
19 THE DISTRICT FOLLOW THE LAW? I DON'T KNOW.

20 MS. KENNE: THERE'S AN ANSWER. SO THE COC WRITES A
21 LETTER TO THE SUPERINTENDENT AND COPIES BOARD MEMBERS, AND
22 THE BOARD MEMBERS READ IT. SAME CARE; SOME MAY NOT CARE.
23 STAFF MAY SAY IT'S REALLY ALL FINE. IT'S FINE. IF STAFF
24 SAYS TO BOARD MEMBERS, DON'T WORRY ABOUT IT --

25 MR. VITALE: BUT THE CHECKS AND BALANCES IS SUPPOSED

1 TO BE YOUR LEGAL COUNSEL TO THE BOARD. IS THERE A LEGAL
2 COUNSEL TO THE BOARD?

3 MS. KENNE: THAT'S THE ONE WE'RE ARGUING ABOUT HOW
4 MUCH WE'RE PAYING HIM.

5 MR. HOCUTT: WHY WOULD THE BOARD ACCEPT WORDS FROM THE
6 STAFF THAT IT'S OKAY WITHOUT INVESTIGATING IT?

7 MS. RAHN: THIS IS REALLY TRICKY. THIS IS LIKE AN
8 EDUCATION CLASS. SO TYPICALLY IF A BOARD SUPPORTS A
9 SUPERINTENDENT, THEN THEIR JOB IS TO LET THE SUPERINTENDENT
10 DO THEIR JOB. I'M JUST TELLING YOU IN EVERY DISTRICT I'VE
11 WORKED WITH. AT THIS POINT THAT'S WHAT'S OPERATING IS THAT
12 THEN THE SUPERINTENDENT HIRES ITS PEOPLE AND THEN YOU TRUST
13 THAT IT'S GOING, AND SO YOUR LINE OF COMMUNICATION IS
14 REALLY ONLY TO THE SUPERINTENDENT. THAT'S TYPICAL BOARD
15 101. NOW, I HAD TROUBLE WITH THAT. CLEARLY I WAS ONLY ONE
16 FOR -- BUT, AGAIN, THAT'S THE MINDSET OF A BOARD MEMBER.

17 MR. CATES: WELL, ALL RIGHT. THAT'S THE MINDSET, BUT
18 THE MINDSET IS IRRELEVANT. THE LAW IS THE LAW. IT'S
19 PRETTY CLEAR.

20 MS. KENNE: AND YOU WANT PUBLIC SENTIMENT ON YOUR SIDE
21 THEN.

22 MS. RAHN: WELL, THE MINDSET IS IMPORTANT IF YOU WANT
23 TO GET SOMETHING DONE.

24 MR. CATES: YES, IT'S IMPORTANT, BUT GOD KNOWS THERE'S
25 BEEN ENOUGH WARNING AT THIS POINT.

1 MS. RAHN: HOW MANY LETTERS HAVE YOU WRITTEN TO THE
2 SUPERINTENDENT, CLIFF?

3 MR. CATES: I'M NOT SURE. I WAS GOING TO GET TO THAT
4 IN JUST A MOMENT. IT'S THE NEXT ITEM OF BUSINESS. THEY'RE
5 ALL POSTED ON THE WEBSITE. AT LEAST THREE.

6 MS. MCKINLEY: MY SUGGESTION WOULD BE TO GO TO THE
7 BOARD IN PUBLIC COMMENT. TAKE THOSE LETTERS AND SAY THAT
8 WE HAVE WRITTEN TWO, THREE, FOUR LETTERS AND HAVE HAD
9 ABSOLUTELY NO RESPONSE. PEOPLE LISTEN TO THOSE BOARD
10 MEETINGS. THEY WATCH THEM. IMPORTANT PEOPLE WATCH THEM.
11 IT IS CRITICALLY IMPORTANT TO GO COMMENT IN PUBLIC COMMENT,
12 BUT TAKE THOSE LETTERS WITH YOU AND MAKE PACKETS TO HAND
13 OUT TO THE BOARD MEMBERS.

14 MR. CATES: HOW DO WE GET THOSE PACKETS INTO THE
15 RECORD?

16 MR. COLE: HAND IT TO THEM.

17 MR. CATES: THAT DOESN'T APPEAR ON A VIDEOTAPE.

18 MS. KENNE: WHAT WE TALKED ABOUT AT OUR LAST MEETING
19 BECAUSE WE HAD SOMEONE THAT SAID THAT THE COUNCIL HAD
20 COMMISSIONS IF SOMEONE CAN'T MAKE A MEETING THEY SEND IN
21 THEIR COMMENTS AND THAT THEY CAN EITHER BE READ IN OR
22 SOMEONE SUMMARIZES THEM AND THEY'LL APPEAR IN THE MINUTES,
23 AND IT WILL SAY SO AND SO TALKED ABOUT THIS SUBJECT, AND
24 THE GIST OF IT ISN'T THERE, BUT IF SOMETHING IS READ OUT
25 LOUD OR YOUR COMMENTS ARE ON THE VIDEO FOREVER. I CAN GO

1 BACK FIVE YEARS AND LOOK AT VIDEO OF OUR BOARD MEETINGS.

2 MR. HOCUTT: THE COMMENTS ARE BUT WHAT ABOUT THE
3 DOCUMENTS THEMSELVES?

4 MS. MCKINLEY: YOU'RE ADDRESSING THE DOCUMENTS IN
5 PUBLIC COMMENT. YOU'RE SAYING THIS LETTER WENT MAY 7TH.
6 THIS WAS SUBMITTED. THIS LETTER WAS SENT MARCH 3RD. WE'RE
7 GIVING YOU A PACKET OF THOSE LETTERS TO THE BOARD MEMBERS.

8 MR. CATES: RUTHANNE, THAT'S --

9 MS. MCKINLEY: I'M JUDY.

10 MS. CATES: I'M VERY SORRY.

11 MS. RAHN: I'M KIM TONIGHT.

12 MS. MCKINLEY: SHE'S SMARTER THAN I AM.

13 MR. CATES: I'M QUINCY FOR THE NIGHT.

14 WHAT WE COULD DO, AND I THINK THIS MIGHT WORK IS
15 HAVE A SERIES OF COMMITTEE MEMBERS APPEAR SERIATIM USING A
16 SCRIPT. REFER TO THE LETTERS BY DATE AND SAY PASADENA,
17 THEY ARE ON OUR WEBSITE, GO AND READ THEM.

18 MS. MCKINLEY: AND YOU'RE HANDING THEM TO THEM.

19 MR. COLE: YOU ALSO NEED TO HAND HARD COPIES TO THE
20 BOARD.

21 MR. CATES: OF COURSE. HAND THEM AGAIN.

22 MS. RAHN: SAY IT'S AGAIN.

23 MR. CATES: WHY DON'T WE -- LET ME ASK YOU THIS. I'M
24 PERFECTLY WILLING TO APPEAR FOR MY THREE MINUTES. I KNOW
25 THAT QUINCY IS. WHO ELSE IS WILLING TO DO THAT? WE ALL

1 NEED TO DO IT AT THE SAME MEETING. ONE, TWO, THREE, FOUR,
2 FIVE.

3 MS. MCKINLEY: HOW MANY LETTERS DO YOU HAVE, CLIFF?

4 MR. CATES: AGAIN, TAKE A LOOK AT THE WEBSITE.
5 PROBABLY SIX TO EIGHT.

6 MR. HOCUTT: TOTAL.

7 MR. CATES: BUT I DON'T NEED TO REPEAT THEM ALL.

8 MS. RAHN: BUT, CLIFF, MAYBE SINCE YOU'RE SO OPEN,
9 MAYBE YOU SHOULD WRITE THIS AND SEE HOW MANY THREE MINUTES
10 YOU HAVE. TO BE HONEST, WE PROBABLY -- WE COULD GO ON FOR
11 DAYS, BUT WE MIGHT BE GOOD WITH TWO, THREE MINUTES AND THEN
12 HANDING IT OUT. WE MIGHT HAVE TO KEEP COMING BACK.

13 MR. CATES: WELL, IF WE'RE GOING TO GET A CHANCE TO --

14 MR. BOLAND: SO WE HAVE TO GO TALK TO THE PEOPLE WHO
15 WE WROTE LETTERS TO ABOUT THE LETTERS WE WROTE TO THEM?

16 MS. RAHN: YES, YOU GOT IT NOW.

17 MR. CATES: LET ME ASK YOU THIS.

18 MS. KENNE: IT'S THE WITNESSES THAT ARE THE IMPORTANT
19 PART.

20 MR. CATES: WHO BESIDES QUINCY IS WILLING TO DEVOTE AN
21 EVENING TO READING A SCRIPT FOR THREE MINUTES?

22 MS. RAHN: I DON'T HAVE ANY PROBLEM GOING.

23 MR. CATES: OKAY. ONE, TWO, THREE. WE COULD USE A
24 COUPLE MORE.

25 MR. COLE: NOT TOMORROW NIGHT.

1 MR. CATES: NOT TOMORROW NIGHT.

2 MR. HOCUTT: TOMORROW NIGHT IS TOO SOON.

3 MR. COLE: IF IT'S NOT TOMORROW NIGHT, I CAN GO. I
4 CAN'T MAKE IT TOMORROW.

5 MR. CATES: THAT'S A GOOD START. LET ME MOVE ON.

6 MR. VITALE: WILL WE CONCLUDE OUR OTHER MEETING BEFORE
7 THEN? THE ONE OVER AT THE COUNTRY CLUB? IT'S TOMORROW.

8 MR. HOCUTT: THE BOARD IS NOT TOMORROW. WE WILL NOT
9 MEET WITH THE BOARD TOMORROW.

10 MS. RAHN: THE BOARD IS TOMORROW.

11 MR. CATES: WAIT, WAIT, WAIT. ONE AT A TIME. THERE'S
12 NO WAY THE REPORTER CAN GET ALL OF THIS DOWN.

13 MS. RAHN: KIM NEEDS TO CLARIFY SOMETHING.

14 MR. CATES: YES.

15 MS. KENNE: THE BOARD IS MEETING TOMORROW IN A SPECIAL
16 MEETING, AND ONE OF OUR AGENDA ITEMS IS THE MEASURE TT
17 PRIORITIZATION LIST AND HOW WE'RE GOING TO SPEND THE REST OF
18 THE MONEY. SO IT'S FAIRLY PERTINENT TO YOUR CONCERNS.

19 MR. CATES: WE'RE GETTING TO THAT IN REVIEW OF BOARD
20 REPORTS.

21 MS. KENNE: AND WE ARE MEETING AGAIN ON AUGUST 24TH IN
22 OUR REGULAR MEETING. TYPICALLY YOU HAVE THREE MINUTES TO
23 SPEAK. WHEN A LOT OF PEOPLE SHOW UP, IT'S SHORTENED TO TWO
24 MINUTES. WE HAVE BEEN RELATIVELY STRICT ABOUT SAYING WE
25 ARE GOING TO DO 30 MINUTES OF PUBLIC COMMENT, AND EVERYONE

1 ELSE CAN CHOOSE TO STAY UNTIL THE END OF THE MEETING. YOU
2 CAN TALK ON A PARTICULAR DOCUMENT WHEN YOU GET TO THAT
3 AGENDA ITEM, BUT IF YOU HAVE SOMETHING THAT'S NOT ON THE
4 AGENDA, YOU SPEAK IN THE HALF HOUR AT THE BEGINNING OR YOU
5 WAIT UNTIL 9:00 OR 10:00 AFTER THE MEETING IS OVER.

6 WHAT I'LL JUST SAY IS THAT AT LEAST ON THE 17TH
7 THERE'S AN AGENDA ITEM AND THERE'S ONLY THREE THINGS ON THE
8 AGENDA SO WE'RE SUPPOSED TO BE DONE BY 7:00. I DON'T KNOW
9 WHAT TIME YOU'RE MEETING WITH THE AUDITOR TOMORROW.

10 MR. HOCUTT: ON THE 24TH CAN WE PUT AN AGENDA ITEM
11 THAT COC WISHES TO SPEAK?

12 MS. KENNE: IT'S PROBABLY TOO LATE BECAUSE THE AGENDA
13 IS GOING TO GO OUT. THE AGENDA WAS ALREADY APPROVED. IT'S
14 BEING PULLED TO TOGETHER TOMORROW, AND IT'S GOING TO GET
15 POSTED ON FRIDAY.

16 MR. HOCUTT: I THOUGHT IT WAS 72 HOURS BEFORE?

17 MS. RAHN: BACK TO THE RATIONAL VERSUS IRRATIONAL,
18 WHEN THEY KNOW AN AGENDA IS GOING TO BE A CONTENTIOUS ITEM,
19 THEY DON'T PUT IT ON THE AGENDA. GETTING ON THE AGENDA IS
20 VERY, VERY HARD TO GET ON. THAT'S WHY YOU START WITH
21 PUBLIC COMMENT AND THEN THEY EVENTUALLY ARE PRESSURED TO
22 MAKE IT AN ITEM ON THE AGENDA.

23 MR. CATES: WELL, WE'LL DO WHAT WE CAN TO CONTINUE TO
24 PUBLICIZE THESE PROBLEMS TO THE BOARD.

25 MS. WANG: MAYBE I'M THINKING WE SHOULD RELEASE SOME

1 OF THE INFORMATION TO THE INVESTMENT COMPANY BECAUSE I MEAN
2 BEING WATCHED AND MONITORED BY MILLIONS OF INVESTORS, THEY
3 CARE MORE THAN THE RESIDENTS OF PASADENA.

4 MR. CATES: HOW WOULD ANY OF THIS AFFECT THE BOND
5 HOLDERS? IT WOULDN'T.

6 MS. WANG: WELL, OF COURSE IT WOULD BE.

7 MR. HOCUTT: IT AFFECTS FUTURE BONDS.

8 MR. CATES: IT WILL CERTAINLY AFFECT THE DISTRICT'S
9 ABILITY TO RAISE MONEY IN THE FUTURE.

10 MS. WANG: BUT CURRENTLY IF I'M HOLDING THAT BOND AND
11 I HAVE THOSE NOISE ABOUT INTERNAL CONTROL AND THE WEAKNESS
12 IN THE MANAGEMENT, I WOULD SELL IMMEDIATELY.

13 MR. CATES: WITH RESPECT, I SUGGEST IF YOU'RE A BOND
14 HOLDER AND YOU'RE BEING PAID FAITHFULLY, YOU DON'T GIVE A
15 DAMN WHAT IS GOING ON.

16 MS. WANG: I CARE FOR TOMORROW. I DON'T CARE FOR THE
17 PAST.

18 MR. HOCUTT: YOU DO LOOK IF THAT FUTURE STREAM IS
19 GOING TO BE MAINTAINED. THAT'S VERY IMPORTANT.

20 MR. CATES: PAYMENT OF INTEREST AND PRINCIPAL ON THE
21 BONDS IS EFFECTIVELY GUARANTEED BY TAX REVENUES. IT'S NOT
22 LIKE A REVENUE BOND.

23 MR. CATES: RELATED **ITEM, IV-B,** DISTRICT RESPONSES TO
24 OUTSTANDING REQUESTS FOR INFORMATION.

25 AT THE DIRECTION OF THE COMMITTEE AT THE LAST

1 MEETING, I SENT A LETTER TO THE SUPERINTENDENT DATED JULY
2 24TH -- IT'S IN THE MEETING PACKAGE; IT'S POSTED ON OUR
3 WEBSITE -- RECAPITULATING ALL OF THE OUTSTANDING REQUESTS
4 FOR INFORMATION. I HAVE NOT RECEIVED ANY RESPONSE FROM THE
5 SUPERINTENDENT OR ANYONE ELSE AT THE DISTRICT. THEREFORE,
6 ON MONDAY I FILED WITH THE DISTRICT A PUBLIC RECORDS ACT
7 REQUEST.

8 MS. RAHN: GOOD. GOOD.

9 MR. CATES: WHICH IS THE CALIFORNIA EQUIVALENT OF THE
10 FREEDOM OF INFORMATION ACT, AND THE DISTRICT IS REQUIRED BY
11 LAW TO RESPOND WITHIN 10 DAYS, BUT THEY CAN GET A 14-DAY
12 EXTENSION. NOW, WHETHER OR NOT THE DISTRICT WILL COMPLY
13 WITH A PUBLIC RECORDS ACT ANYMORE THAN THEY COMPLY WITH
14 ANYTHING ELSE, I HAVE NO IDEA.

15 MR. COLE: WHENEVER I HAVE ASKED, THEY HAVE.

16 MR. CATES: BUT IN THE PUBLIC RECORDS ACT REQUEST,
17 WHICH ISN'T IN THE MEETING MATERIAL BUT IS POSTED ON THE
18 WEBSITE, CHECK OUT REQUESTS FOR INFORMATION. I REQUESTED
19 MUCH BUT NOT ALL OF THE SAME INFORMATION. I REQUESTED THE
20 MOST IMPORTANT STUFF AND THE EASIEST INFORMATION FOR THE
21 DISTRICT TO SUPPLY. SO THE CLOCK HAS BEEN TICKING SINCE
22 MONDAY. ON THAT WE SHOULD -- I SAY SHOULD IN QUOTATION
23 MARKS -- HAVE A RESPONSE BY OUR NEXT MEETING. ARE YOU
24 GOING TO HOLD YOUR BREATH?

25 MS. CROSS: WHAT ARE THE CONSEQUENCES? I THINK WE'RE

1 HEARING PRETTY MUCH THE OVERARCHING ANSWER TO THAT
2 QUESTION. THERE ARE VERY --

3 MR. CATES: WELL, THE CONSEQUENCES ARE ULTIMATELY --

4 MS. CROSS: THEY SEEM MURKY.

5 MR. CATES: THEY'RE NOT MURKY. IF THE DISTRICT
6 CONTINUES TO FLOUT THE LAW, THEY'RE SUBJECT TO A LAWSUIT,
7 AND THERE ARE VARIOUS REMEDIES PROVIDED UNDER THE EDUCATION
8 CODE AND OTHER THINGS THAT PERMIT INJUNCTIONS, DECLARATORY
9 ACTIONS, ALL OF THESE THINGS. NOW, THE LAST THING I WANT
10 TO HAVE TO DO IS FILE A LAWSUIT TO GET THE DISTRICT AND THE
11 BOARD TO COMPLY WITH THE LAW. THESE ARE NOT MURKY ITEMS.

12 MS. CROSS: NO. I MEAN MURKY AS FAR AS ANTICIPATED
13 CONSEQUENCES BY THOSE PARTIES THAT ARE NOT RESPONDING.

14 MR. CATES: I DON'T KNOW IF THEY KNOW OR CARE.

15 MS. CROSS: THIS IS THE PROBLEM THAT THERE IS NO
16 CONSEQUENCE FOR THEM NOT CARRYING.

17 MR. HOCUTT: BUT HER QUESTION IS WHAT ARE THE
18 CONSEQUENCES?

19 MR. CATES: THE CONSEQUENCES ARE -- AND I'LL JUST
20 LIST SOME OF THEM. ASSUMING THAT THE LAWSUIT SUCCEEDS,
21 FUNDS ILLEGALLY TAKEN OUT OF TT WILL BE ORDERED RESTORED
22 WITH INTEREST. AN INJUNCTION COULD BE ISSUED PROHIBITING
23 THE SAME KIND OF CONDUCT IN THE FUTURE. WHY DOES THAT MAKE
24 A DIFFERENCE? BECAUSE THEN A VIOLATION BECOMES A VIOLATION
25 OF A COURT ORDER AND SUBJECTS THE CONTENDER TO A CONTEMPT

1 CITATION.

2 MR. HOCUTT: DOES THAT MEAN A BOARD MEMBER COULD BE
3 SUBJECT TO A CONTEMPT CITATION?

4 MR. CATES: HIGHLY UNLIKELY. IT'S THE DISTRICT THAT
5 IS REALLY RESPONSIBLE. HOWEVER, IF THE BOARD MEMBERS WERE
6 ORDERED TO DO SOMETHING LIKE PAY ATTENTION TO NOTICES YOU
7 GET FROM THE COC, AND IF YOU DON'T AGREE, RESPOND AND
8 DIDN'T DO IT, SURE. ANYONE WHO IS SUBJECT TO A COURT ORDER
9 WHO IGNORES IT DELIBERATELY IS SUBJECT TO PUNISHMENT FOR
10 CONTEMPT. COURTS DON'T LIKE TO DO THAT.

11 YES.

12 MS. KENNE: I'M NOT CLEAR WHO WOULD BE THE PLAINTIFF
13 OF THAT LAWSUIT BUT --

14 MR. CATES: WELL, ANY TAXPAYER IN PASADENA.

15 MS. KENNE: WE HAVE TO FIND SOMEONE WHO WANTS TO DO
16 THAT.

17 MR. CATES: NO. OR THE COMMITTEE OR ANY COMBINATION
18 OF MEMBERS OF THE COMMITTEE, AND IF YOU'RE INTERESTED, YOU
19 CAN GO ONLINE AND YOU WILL FIND A DECISION OUT OF THE
20 APPELLATE COURT FOR THE 4TH DISTRICT IN CALIFORNIA IN WHICH
21 THE CITIZENS' OVERSIGHT -- SOMETHING LIKE THE CITIZENS'
22 OVERSIGHT COMMITTEE SUCCESSFULLY SUED THE SAN DIEGO UNIFIED
23 SCHOOL DISTRICT FOR VIOLATIONS OF, YOU KNOW, THE SAME SORTS
24 OF VIOLATIONS.

25 MS. KENNE: I HAVE A PROPOSAL. IT'S NOT MY PLACE TO

1 MAKE IT, BUT I'M GOING TO DO IT ANYWAY. I FEEL LIKE THIS
2 COMMITTEE IS REVIEWING THESE SAME THINGS MULTIPLE TIMES,
3 AND I KNOW FOR THE NEW PEOPLE IT WAS PROBABLY GOOD THE
4 FIRST TIME. IT WANES IN ITS EXCITEMENT AS YOU GO OVER IT
5 MULTIPLE TIMES. SO I DON'T KNOW IF A SMALL GROUP OF PEOPLE
6 COULD GET TOGETHER OFF LINE AND CREATE A STRATEGY, A PLAN.
7 WE'RE GOING TO DO THIS, AND WE'RE GOING TO DO THIS, AND IF
8 THIS DOESN'T WORK, WE'RE GOING TO DO THIS. KIND OF LAY IT
9 OUT SO YOU KNOW THE STEPS. YOU BRING THE PLAN TO THE
10 COMMITTEE, AND SAY DO THESE STEPS WORK FOR EVERYONE, AND
11 YOU EXECUTE THE STEPS, AND THEN YOU CAN SAY, HI, WE'RE IN
12 STEP ONE, BUT PLEASE KNOW WE'VE GOT STEP TWO, AND THREE AND
13 FOUR LINED UP, AND YOU MAY NOT LIKE THEM SO YOU MIGHT JUST
14 WANT TO LISTEN TO US HERE IN STEP ONE. THIS IS A LOT OF
15 PEOPLE, AND IT'S SOMETIMES HARD TO KIND OF GET TO THAT
16 CONCLUSION WITH PEOPLE.

17 MR. CATES: I THINK THAT'S A GOOD SUGGESTION, AND THIS
18 IS WHAT I'D LIKE TO OFFER YOU ALL IN RESPONSE. I, WORKING
19 WITH ANYONE ELSE WHO IS INTERESTED, WILL PUT TOGETHER A
20 DRAFT PLAN OF ACTION. STEP ONE, STEP TWO. WE'VE ACTUALLY
21 BEEN THROUGH STEPS ONE AND TWO. STEP ONE, THE INFORMAL
22 CONSULTATION; STEP TWO, THE WRITTEN NOTICES. BUT TAKE IT
23 TO STEPS THREE, FOUR, AND FIVE, AND WE CAN DISCUSS IT AT A
24 FUTURE MEETING.

25 MR. HOCUTT: CAN WE ASSIGN THAT TASK TO THE AUDIT

1 COMMITTEE BECAUSE THAT'S LIKE FIVE PEOPLE AND THEY EXIST.

2 MS. KENNE: THERE'S OVERLAP BECAUSE TALKING TO THE
3 AUDITOR MAY BE ONE OF THOSE STEPS.

4 MR. CATES: WE'RE CERTAINLY DOING -- WHY DON'T -- I'D
5 MUCH RATHER WORK WITH PEOPLE WHO WANT TO WORK ON A PROJECT.

6 MR. BOLAND: LET ME ASK YOU A QUESTION. WE'RE TALKING
7 ABOUT ALL THESE STEPS. WHAT'S THE ISSUE WE'RE TRYING TO
8 REMEDY? THAT THEY'RE BUNDLING SOME BILLS TOGETHER? YOU
9 KNOW WHAT I MEAN? I AM NOT BEING WISE. I'M JUST SAYING IF
10 WE WERE ADDRESSING AN ILLEGALITY OR YOU THOUGHT WE WERE
11 ADDRESSING AN ILLEGALITY, I WOULD ENTERTAIN THIS
12 CONVERSATION A LITTLE MORE SERIOUSLY. WE'RE OVERSEEING I
13 THINK PEOPLE THAT ARE TRYING TO PAY THE BILLS, AND
14 SOMETIMES CROSSING THE LINE AS FAR AS THESE TT FUNDS. I
15 DON'T SUSPECT ANY ILLEGALITY, SO I DON'T KNOW THAT LAWSUITS
16 AND THINGS LIKE THAT -- I WOULD LIKE MORE COOPERATION AND
17 RESPECT AS FAR AS THIS COMMITTEE IS CONCERNED. I'M A
18 LITTLE CONCERNED THAT THINGS ARE A LITTLE MURKY AS TO OUR
19 PROCESS. WE KEEP BUMPING UP AGAINST THIS THING. IF
20 THERE'S SOMETHING WE DON'T LIKE, THERE'S NOTHING WE CAN DO
21 ABOUT IT, AND THEN WE TALK ABOUT IT FOR AN HOUR AND A HALF.
22 MR. CATES: I DISAGREE WITH YOU, AND I'VE JUST
23 OUTLINED WHAT SOME OF OUR REMEDIES ARE, AND YOU SAY IT'S A
24 LITTLE MURKY, FUNDS ARE SHORT. WHAT'S THE PROBLEM? IT'S
25 THE ILLEGAL EXPENDITURE OF RESTRICTED FUNDS.

1 MR. BOLAND: DID I SAY WHAT'S THE PROBLEM? I DON'T
2 REMEMBER SAYING THAT. I DIDN'T SAY THAT. I'M NOT BLOWING
3 IT OFF IF THERE'S A PROBLEM. WHAT I'M SAYING IS THAT THE
4 NATURE OF THE DISCUSSION IS A LITTLE -- WE'RE KILLING A FLY
5 WITH A NUKE HERE. WE'RE TALKING ABOUT SUING THE SCHOOL
6 DISTRICT, AND I THINK WHAT I WOULD LIKE TO SEE IS A BETTER
7 WORKING RELATIONSHIP.

8 WE GOT A GUY FROM FACILITIES WHO CAN'T ANSWER ANY
9 QUESTIONS UNLESS WE WRITE IT DOWN, AND THEN HE COMES BACK
10 IN A MONTH, AND NOBODY KNOWS WHAT WE ASKED. WHAT WE NEED
11 IS NELSON SITTING HERE AND ANSWERING QUESTIONS, AND HE
12 NEEDS TO FEEL COMFORTABLE BEING HERE THAT HE'S NOT GOING TO
13 BE ATTACKED. WE NEED A BETTER WORKING RELATIONSHIP.
14 THAT'S HOW THE COMMITTEE GETS MORE RESPECT, AND WHEN WE ASK
15 FOR INFORMATION, WE GET IT INSTEAD OF PLAYING THESE GAMES.
16 I HATE PLAYING THE GAMES WITH YOU GUYS. I DON'T WANT TO
17 GIVE YOU WRITTEN QUESTIONS, AND I WANT TO ASK, AND I WANT
18 TO HAVE SOMEBODY OVER THERE THAT IS GOING TO ANSWER.
19 ESPECIALLY IF IT'S A STUPID QUESTION THAT TAKES THREE
20 SECONDS TO ANSWER. IT JUST DOESN'T WORK THE WAY IT'S
21 WORKING. THEN WE'RE TALKING ABOUT LAWSUITS AND THINGS LIKE
22 THAT. I JUST WANT A BETTER WORKING RELATIONSHIP AND A
23 CLEAR PROCESS ON HOW WE GET DONE WHAT WE'RE SUPPOSED TO GET
24 DONE.

25 MR. CATES: A BASIC REQUEST HAS BEEN MADE AT LEAST

1 FOUR OR FIVE TIMES TO THE PERSON DIRECTLY INVOLVED, TO THE
2 SUPERINTENDENT AND THE BOARD, AND THAT IS THAT THE CHIEF OF
3 FACILITIES, WHO KNOWS WHAT'S GOING ON AND WHO CAN ANSWER
4 OUR QUESTIONS, ATTEND THESE MEETINGS. HE SHOULD BE HERE.

5 MR. BOLAND: HE SHOULD BE HERE.

6 MR. CATES: AND MY DEFINITION OF SHOULD, ONLY HALF
7 FACETIOUS, USE THIS WHENEVER ANYONE SAYS SHOULD, IS NOT
8 THIS TIME. HE REFUSES TO COME. IT'S THAT SIMPLE. YES, WE
9 SHOULD HAVE A GOOD WORKING RELATIONSHIP. WE HAVE
10 PETITIONED MULTIPLE TIMES. WE'VE BEEN GOING --

11 MR. BOLAND: I THINK THAT, YOU KNOW, AND I DON'T WANT
12 TO SPEAK FOR NELSON, BUT I DID MEET WITH NELSON. I FEEL
13 THAT HE FEELS THAT HIS CHARACTER HAS BEEN ASSASSINATED TO
14 SOME EXTENT. I HAVE NOT BEEN HERE, BUT I DO KNOW THAT THE
15 RELATIONSHIP HAS TURNED SOMEWHAT POISONOUS, AND I THINK IT
16 TAKES A LITTLE EFFORT ON BOTH SIDES TO SAY LET'S RESTART
17 THAT, AND LET'S WORK WITHIN A CULTURE OF RESPECT. THIS
18 COMMITTEE HAS TO EXIST. IT'S REQUIRED TO EXIST. IF WE ALL
19 QUIT, NELSON IS GOING TO DEAL WITH 12 NEW PEOPLE THAT HE'S
20 GOING TO HAVE TO ANSWER QUESTIONS FROM SO WE'RE GOING TO BE
21 HERE. SOMEBODY IS GOING TO BE HERE. SO HE SHOULD BE HERE.

22 MR. CATES: WHY ISN'T HE?

23 MR. BOLAND: BUT WE SHOULD RESPECT THE FACT THAT HE'S
24 HERE, AND IT SHOULD BE A LESS POISONOUS ATMOSPHERE.

25 MR. CATES: IT SHOULD BE. WE HAVE MADE MULTIPLE

1 OVERTURES INFORMALLY AND FORMALLY.

2 MR. BOLAND: I'M MAKING A FORMAL RECORD THAT HE SHOULD
3 BE HERE.

4 MR. CATES: IF YOU TAKE A LOOK AT THE LETTER I SENT TO
5 THE SUPERINTENDENT, ONE OF THE ITEMS REQUESTED FOR THE
6 UMPTEENTH TIME WAS THAT THE CHIEF OF FACILITIES ATTEND
7 THESE MEETINGS. HAVEN'T HEARD FROM THE SUPERINTENDENT.
8 HAVEN'T HEARD FROM THE CHIEF OF FACILITIES.

9 MR. HOCUTT: CAN WE ASK --

10 MR. CATES: BUT I SEE HE'S NOT HERE.

11 MR. HOCUTT: CAN WE ASK WHY HE'S NOT HERE TONIGHT?

12 MR. PEREZ: ACTUALLY HE INSTRUCTED ME TO LET YOU KNOW
13 THAT IN THE MEETING AGENDA YOU ERASE HIS NAME IN REGARDS TO
14 THE FACILITIES REPORT.

15 MS. RAHN: AND THAT YOUR NAME SHOULD BE THERE, MIGUEL?

16 MR. PEREZ: YES.

17 MR. HOCUTT: IS THAT JUST FOR TONIGHT OR FOREVER?

18 MR. PEREZ: WELL, FOREVER IS TOO LONG. AS OF NOW.

19 MR. CATES: HE'S NOT PLANNING TO COME. SO YOU'RE
20 RIGHT. WE SHOULD HAVE A BETTER WORKING RELATIONSHIP. HOW
21 CAN WE DO THAT IF THE GUY WHO IS IN CHARGE OF ALL OF THIS
22 DOESN'T COME?

23 MS. CROSS: IT'S ALMOST IMPOSSIBLE TO BE PRODUCTIVE
24 AND EFFECTIVE AND CONTRIBUTING IN THIS KIND OF FORUM WHEN
25 WE DON'T HAVE ALL THE TOOLS THAT SHOULD AGAIN BE AVAILABLE

1 TO US. AS A BUSINESS OWNER, AS A SELF-EMPLOYED PERSON, AS
2 SOMEONE WHO LOOKS FOR EFFICIENCY TO THE NTH DEGREE WHEN I
3 HAVE TO BECAUSE EVERY DAY THAT IS MY LIVELIHOOD, WHEN I
4 COME IN HERE AND SEE HOW INEFFECTIVE WE ARE SIMPLY BECAUSE
5 PEOPLE DON'T WANT TO ATTEND OR DON'T WANT TO CONTRIBUTE OR
6 DON'T WANT TO FOLLOW THE RULES OR DON'T FEEL COMPELLED TO
7 BE HELD RESPONSIBLE OR ACCOUNTABLE, IT'S EXTREMELY
8 DEFLATING. AND WHAT ARE YOU LEFT WITH? YOU'RE LEFT WITH A
9 CONTINUUM OF TRYING, TRYING, TRYING AND NOT MAKING ANY
10 PROGRESS.

11 MR. CATES: I DON'T WANT TO BE CAUGHT UP IN THAT
12 CONTINUUM WHICH IS A GOOD DESCRIPTION. JUST A FEW MOMENTS
13 AGO WE WERE TALKING ABOUT PUTTING TOGETHER A STRATEGIC PLAN
14 AND THEN DISCUSSING IT. BUT, NO, THIS IS UNSATISFACTORY.
15 WE DISCUSS VERY LITTLE NEW MATERIAL AT EACH MEETING, AND
16 FOR THE NEW MEMBERS THIS IS ONLY YOUR SECOND TIME. MOST OF
17 THIS INFORMATION WE'VE BEEN DOING THIS FOR AT LEAST THE
18 ENTIRE CALENDAR YEAR AND ON SOME ISSUES EVEN MORE.

19 MR. BOLAND: I READ ALL THE MINUTES FOR THE LAST THREE
20 YEARS SO I FEEL LIKE I'VE BEEN THERE. IT'S BEEN HORRIBLE.

21 MR. CATES: WISH YOU HAD BEEN HERE.

22 MR. VITALE: LET ME ASK YOU THIS, CLIFF. DURING THE
23 TIME THAT YOU'VE BEEN HERE, HAS THE SUPERINTENDENT OF
24 SCHOOLS EVER ATTENDED ONE OF THESE MEETINGS?

25 MR. CATES: NO.

1 MR. VITALE: HOW MANY TIMES HAVE YOU SAT IN HIS OFFICE
2 ACROSS THE DESK WITH HIM?

3 MR. CATES: ZERO. ASK ME HOW MANY TIMES I HAVE ASKED.

4 MR. VITALE: SO THE BUCK STOPS AT THE TOP AND YET THE
5 TOP IS NOT WILLING TO INVOLVE HIMSELF IN THE MISSION OF
6 THIS COMMISSION. WHAT DOES THAT SAY FOR THE COMPETENCY OF
7 THE SUPERINTENDENT OF SCHOOLS?

8 MS. RAHN: IT SAYS THAT AGAIN HE HAS CONFIDENCE IN
9 NELSON. SO UNFORTUNATELY THAT'S WHERE WE'RE AT. NOW, WHEN
10 WASHINGTON BLOWS UP, AS I'M HEARING IT WILL, WE WILL GET
11 SOME ATTENTION. WE WILL GET SOME ATTENTION, I PROMISE, BUT
12 IT TAKES THAT, WHICH IS SO DUMB, IN THESE GOVERNING BODIES
13 FOR YOU TO GET ATTENTION.

14 MR. VITALE: AS FRANCIS SO ELOQUENTLY PUT OVER HERE,
15 HE WANTS TO AVOID ILLEGALITIES, IF WE CAN, WHILE AT THE
16 SAME CONCURRING THAT THERE ARE TECHNICAL INCONSISTENCIES --
17 I'LL USE THAT SEMANTIC TERM -- ON THE PART OF THE BOARD AND
18 FACILITIES TO PROPERLY AND ADEQUATELY MANAGE THE FUNDS FOR
19 WHICH THEY HAVE A FIDUCIARY RESPONSIBILITY TO DO SO WHICH
20 WE IN TURN ARE SUPPOSED TO BE THE OVERSEERS OF.

21 MS. RAHN: YES.

22 MR. VITALE: IT ALMOST SOUNDS AS IF WE'RE AT THE POINT
23 WHERE YOU NEED TO THROW THE BATH WATER OUT AND START OVER
24 AGAIN WHICH IS UNFORTUNATELY WHAT HAPPENED WITH THE
25 PREVIOUS BOND. WE WERE 75 PERCENT OF THE WAY THROUGH THE

1 BOND AND VANDER GOT CHUCKED, AND THE LOCAL MEEBIE-WEEBIE
2 THAT WAS IN THERE AS PART OF THE GROUP PROVED TO HAVE MORE
3 COMPETENCY THEN ALL THE PEOPLE THAT VANDER HAD IN TERMS OF
4 CLEANING UP AND CLOSING OUT THE REMAINDER OF THE PROJECTS
5 THAT WERE STILL ON THE BOOKS, AND I WAS PART OF THAT. I
6 SAW THAT GO DOWN AND WAS ABLE TO UNDERSTAND WHERE THE
7 DIFFICULTIES WERE COMING FROM. BUT WITH IT STARTING AT THE
8 TOP AND NOT TRICKLING DOWN TO THE TROOPS IN THE FIELD,
9 OBVIOUSLY WE'RE GETTING NO WHERE.

10 MS. RAHN: THERE IS ONE MORE OPPORTUNITY. THEY HAVE
11 DECIDED TO GO AFTER ANOTHER BOND.

12 MR. VITALE: HOW DO THEY THINK THEY'RE GOING TO
13 JUSTIFY GOING AFTER ANOTHER BOND?

14 MS. KENNE: SO WE'VE HIRED A FIRM TO DO A SURVEY TO
15 SEE IF WE SHOULD DO ANOTHER BOND.

16 MS. RAHN: IT'S A HUGE RESPONSIBILITY FOR US.

17 MR. CATES: AND TELL ME THE FIRM IS GOING TO BE PAID
18 OUT OF TT BONDS?

19 MS. KENNE: WE ALREADY DID THAT CONTRACT, AND I'M
20 PRETTY SURE IT EITHER CAME OUT OF MEASURE Y OR THE
21 DEVELOPER.

22 MR. VITALE: ARE THEY GOING TO SUGGEST THAT THE SAME
23 CHECKS AND BALANCES THAT WERE CALLED FOR IN THIS BOND ARE
24 THE SAME MODEL CHECK AND BALANCES THEY'RE GOING TO USE IN A
25 FOLLOW-ON BOND?

1 MS. RAHN: PROBABLY. BUT, AGAIN, THERE'S NO PROBLEM
2 AT THIS POINT. IT'S POLITICS. THERE'S NO PROBLEM AT THIS
3 POINT.

4 MS. KENNE: THERE'S A PROBLEM IN THIS ROOM, BUT IT HAS
5 TO GO OUTSIDE THIS ROOM.

6 MS. RAHN: THERE'S A PROBLEM, BUT IT'S NO WHERE BUT
7 HERE.

8 MR. CATES: I DON'T UNDERSTAND THAT.

9 MS. RAHN: IT'S NOT IN THE PUBLIC. IT'S NOT ON THE
10 BOARD'S RADAR. IF THE BOARD MEMBERS KNEW, IF YOU TALKED TO
11 EACH OF THEM INDIVIDUALLY AND SAID NAME THE TOP THREE
12 THINGS WE HAVE TO WORK ON IN THIS DISTRICT, THIS ISSUE
13 WOULDN'T EVEN COME UP. SO IT'S NOT EVEN -- IT'S ON NO
14 ONE'S RADAR.

15 MR. VITALE: YET WITHOUT THE FACILITIES TO HOUSE THE
16 CHILDREN, THE CHILDREN AREN'T GOING TO BE ABLE TO BE
17 TRAINED, AND THERE'S NOT GOING TO BE A DESIRE FOR THE
18 PRIVATE FAMILIES TO WANT TO SEND THEM THEIR KIDS TO THE
19 SCHOOLS WE WANT THEM TO GO TO INSTEAD OF GOING TO A CHARTER
20 SCHOOL.

21 MS. KENNE: BUT I THINK WHAT MIKALA WAS SAYING IS THIS
22 PROBLEM IS NOT ON THE RADAR. THIS MEANING ISSUES WITH TT.
23 SO, IN OTHER WORDS, TT IS WORKING FINE.

24 MS. RAHN: WORKING GREAT.

25 MR. CATES: WELL, HOW DO YOU GET THE ATTENTION OF A

1 MULE?

2 MS. RAHN: WE'VE ALREADY TOLD YOU. PUBLIC.

3 MS. KENNE: PUBLIC. I'LL EVEN VOLUNTEER TO HELP YOU
4 ON THAT STRATEGIC PLAN AND STEPS BECAUSE I HAVE BEEN DOING
5 THIS TOO LONG. I WILL HELP.

6 MR. CATES: ALL RIGHT. BETWEEN NOW AND THE NEXT
7 MEETING WE'LL COME UP WITH A SUGGESTED STRATEGY SESSION,
8 BUT RIGHT NOW EVERY FRIENDLY AND INFORMAL REQUEST WE'VE
9 MADE, EVERY LAST ONE OF THEM HAS BEEN IGNORED. WHY?
10 BECAUSE THERE'S NO PENALTY FOR IT. NONE.

11 MS. MCKINLEY: I HAVE HEARD A NUMBER OF TIMES AT BOARD
12 MEETINGS IN PUBLIC COMMENT PEOPLE COME IN AND SAY WE FILED
13 A PUBLIC RECORDS REQUEST ON THIS DATE AND WE'RE WAITING FOR
14 THOSE PUBLIC RECORDS TO BE PROVIDED TO US. YOU'VE ALREADY
15 GOT WHAT YOU NEED. TOMORROW NIGHT IS IMPORTANT BECAUSE
16 IT'S ON THE AGENDA. YOU DON'T HAVE TO WAIT TO THE NEXT
17 MEETING. YOU'RE MAKING THIS INTO TOO -- THERE'S NO REASON
18 FOR THIS TIME DRAGGING OUT. IT'S GOT TO BE IMMEDIATE.
19 TOMORROW NIGHT IS THE IMMEDIATE.

20 MR. CATES: TOMORROW NIGHT'S MEETING IS DEVOTED TO THE
21 SPEND-OUT PLAN.

22 MR. VITALE: BUT IT'S GOT A PUBLIC COMMENT.

23 MS. MCKINLEY: ONE OF THE THREE ITEMS IS TT.

24 MR. CATES: WELL, WITH RESPECT, WE NEED TIME TO PUT
25 TOGETHER SOMETHING THAT IS RESPONSIBLE.

1 MR. HOCUTT: WE NEED TO START WORKING ON THAT LIKE
2 NOW. I DON'T WANT TO WAIT UNTIL NEXT MONTH.

3 MR. CATES: QUINCY, YOU AND I DON'T LET ANY GRASS GROW
4 UNDER OUR FEET.

5 MR. HOCUTT: BUT WE'RE NOT GETTING ANYWHERE.

6 MS. RAHN: YOU COULD JUST READ THE LETTER THOUGH.

7 MR. CATES: THE LETTER IS FOUR PAGES. THERE GO MY
8 THREE MINUTES.

9 MR. BOLAND: YOU KNOW WHAT? I'LL GO TO THIS MEETING
10 TOMORROW NIGHT, AND I'LL JUST SAY I'M ON THIS COMMITTEE,
11 AND I WOULD LIKE FOR YOU TO RESPOND TO OUR REQUEST FOR
12 INFORMATION. YOU KNOW, I WOULD BE HAPPY TO SAY SOMETHING
13 LIKE THAT. IF THAT PUTS IT ON THE RECORD, I'LL JUST SAY
14 I'VE ONLY BEEN TO TWO MEETINGS, AND I ALREADY HAVE AN
15 IMMEDIATE FRUSTRATION THAT EVERYTHING WE ASK FOR, YOU
16 IGNORE, AND I WOULD LEAVE.

17 MS. RAHN: AND WE WOULD INVITE NELSON TO THE MEETING.

18 MR. BOLAND: I'LL MENTION THIS LETTER. YOU WERE SENT
19 A LETTER ON JULY 24TH, AND YOU IGNORED THAT TOO.

20 MS. RAHN: YOU WERE ON 7-11. SO SEE, YOU'RE POWERFUL.

21 MR. CATES: OF COURSE YOU'RE ALWAYS FREE AS A MEMBER
22 OF THE PUBLIC TO ADDRESS THE BOARD, BUT I THINK IT
23 IMPORTANT THAT WE OPERATE AS A COMMITTEE, NOT A BUNCH OF
24 SOLO AVIATORS.

25 MS. RAHN: I THINK WHAT HE'S SAYING IS FINE TO SAY.

1 IT'S NOT A BIG DEAL.

2 MR. BOLAND: I WAS GOING WITH YOUR SUGGESTION. I
3 WASN'T SAYING I WAS GOING SOLO. I WAS TRYING TO HELP.

4 MR. CATES: THERE IS INSUFFICIENT TIME BETWEEN NOW AND
5 THE MEETING TOMORROW NIGHT TO PUT TOGETHER A RESPONSIBLE
6 ADDRESS CONSISTING OF MULTIPLE PEOPLE TO THE BOARD.

7 MS. RAHN: I THINK HE SHOULD GO AS A NEW MEMBER. I'VE
8 GOT TO TELL YOU THIS IS A LITTLE BIT OF MY PET PEEVE. I'LL
9 GIVE ONE LITTLE PET PEEVE. THIS IDEA THAT HE CAN'T, THAT
10 HE CAN'T GO REPRESENT US WHEN WE DON'T KNOW WHEN PEOPLE ARE
11 MEETING WITH OTHER COMMITTEE MEMBERS OR MEETING WITH AUDIT
12 PEOPLE AND BOARD MEMBERS AND THIS AND THAT. IT'S NOT GOOD.
13 SO IT HAS TO BE THAT WE'RE EITHER JUST FULLY TRANSPARENT AS
14 A GROUP AND TO TRUST EACH OTHER OR NOT.

15 MR. CATES: UNDER THE BYLAWS INDIVIDUAL MEMBERS OTHER
16 THAN THE CHAIR DO NOT HAVE THE RIGHT TO REPRESENT THE
17 COMMITTEE BEFORE THE BOARD OR ANYONE ELSE.

18 MS. RAHN: FRANCIS, WOULD YOU GO AS YOURSELF?

19 MR. BOLAND: I SAY THIS IN ALL DUE RESPECT. I DON'T
20 WANT TO GO THERE AND REPRESENT. I DON'T WANT TO HAVE AN
21 ISSUE WITH ANYONE. SO IF YOU HAVE AN ISSUE, I WOULD BE
22 GLAD TO --

23 MR. CATES: I HAVE AN ISSUE. I WOULD MUCH RATHER HAVE
24 THE COMMITTEE AS A GROUP DECIDE --

25 MR. BOLAND: LET ME ASK. LIKE MIKALA SAID, SINCE I

1 CONCEDED THAT POINT TO YOU, I MAY AS WELL TELL YOU WHAT I
2 THINK ABOUT IT. SHE'S RIGHT. YOU NEED TO TRUST THE PEOPLE
3 THAT YOU HIRE ON YOUR COMMITTEE. I MAY NOT SPEAK IN THE
4 SAME MANNER AS YOU, BUT IF I WAS TO GO TO THE PUBLIC AND
5 REPRESENT THIS COMMITTEE, IT WOULD BE JUST AS WELL AS YOU.
6 SO THAT'S ALL I HAVE TO SAY ABOUT IT.

7 MR. CATES: I JUST WANT TO MAKE SURE THAT WHAT WE DO
8 IS WHAT THE COMMITTEE AS A WHOLE HAS APPROVED, NOT WHAT ANY
9 ONE MEMBER, NO MATTER WHAT HIS GOOD FAITH, THINKS SHOULD BE
10 DONE.

11 MS. RAHN: THEN WHY DON'T WE TAKE A LITTLE STRAW POLL?
12 IS IT OKAY IF FRANCIS GOES TO THE MEETING TOMORROW TONIGHT?

13 MR. BOLAND: I DON'T THINK THAT'S RIGHT. I THINK
14 WE'LL GO WITH WHAT CLIFF HAS TO SAY.

15 MR. CATES: YOU'RE OF COURSE FREE TO GO AS A CITIZEN.

16 MR. BOLAND: NO, I'M NOT GOING TO GO AS A
17 REPRESENTATIVE, BUT I DO THINK WE SHOULD GO. IT'S A TT
18 MEETING, BUT IT'S UP TO YOU.

19 MS. RAHN: THESE TWO LADIES WILL GO FOR US.

20 MS. MCKINLEY: WE'LL BE THERE ANYWAY.

21 MR. VITALE: WHAT TIME DOES IT START?

22 MS. RAHN: FIVE O'CLOCK.

23 MR. BOLAND: MY QUESTION IS WHY WEREN'T WE GIVEN
24 SOMETHING TO REVIEW ABOUT THAT MEETING? SINCE THEY'RE
25 GOING TO APPROVE THE EXPENDITURE OF ALL THE FUNDS THAT

1 WE'RE SUPPOSED TO OVERSEE.

2 MR. CATES: WE'RE GOING TO GET TO THAT VERY ISSUE IN A
3 MOMENT.

4 LET'S TAKE A TEN-MINUTE BREAK. IT'S 8:05.

5 (A RECESS WAS TAKEN.)

6 MR. CATES: IN ITEM II, APPROVAL OF THE MINUTES, WHICH
7 WE DON'T HAVE TO APPROVE. WE NEGLECTED, THAT IS, I
8 NEGLECTED TO ENTERTAIN A MOTION TO DEFER CONSIDERATION TO
9 THE NEXT MEETING IN THE HOPE THAT WE WILL HAVE SOMETHING BY
10 THE NEXT MEETING.

11 MR. COLE: I'LL FLOAT THAT MOTION.

12 MR. HOCUTT: I'LL SECOND.

13 MR. CATES: ALL IN FAVOR? OPPOSE? ABSTAIN?

14 SO WE DEFER CONSIDERATION OF THE MINUTES THAT WE
15 DON'T HAVE UNTIL THE NEXT MEETING.

16 MS. KENNE: SO, CLIFF, TO HAVE THE RESULTS OF THAT
17 VOTE RECORDED IN THE TRANSCRIPT, BECAUSE I DID READ THE
18 TRANSCRIPT FROM THE LAST MEETING, I SAW THE WORDS YOU
19 SAYING AYES, NOES, OKAY, BUT IT DIDN'T SAY AYES, TEN
20 PEOPLE. NOES, ZERO. SO YOU HAVE TO ORALLY DO IT OR IT
21 WON'T BE AVAILABLE FOR THE MINUTES. SO YOU HAVE TO
22 PROPERLY ORALLY SAY OR IT'S NOT APPARENT IN THE TRANSCRIPT.

23 MR. CATES: THERE WERE NO NAYS; CORRECT?

24 MR. DEVEER: AND NO ABSTENTIONS.

25 MR. CATES: AND NO ABSTENTIONS. WE HAVE 15 MEMBERS OF

1 WHOM THERE ARE 12 HERE TONIGHT. 12 TO ZERO IN FAVOR.
2 MOTION CARRIES.

3 ALL RIGHT. MIGUEL.

4 MR. PEREZ: THIS IS A FORMALITY. WHEN YOU'RE GOING TO
5 DISCUSS THE REVIEW OF THE NEW BOARD REPORTS, WHICH I
6 PRESUME WILL BE COMING NEXT, I HAVE INCLUDED THE LIST, THE
7 ATTACHMENTS IN THIS 11 X 17 SO LOOK FOR IT IN YOUR PACKAGE.
8 IT'S 11 X 17 SHEETS. IT SAYS ON THE RIGHT-HAND SIDE
9 "ATTACHMENT BR 1203-F." I HAD TO PRINT OUT ON 11 X 17
10 BECAUSE THE WORD -- THE WAY IT IS PRINTED IN ALL THE BOARD
11 REPORTS IS IN THE LETTER FORMAT, LETTER SIZE, SO YOU WOULD
12 NOT BE ABLE TO READ IT.

13 IF YOU GO TO YOUR PACKAGE, THE ONE THAT IS
14 STAPLED IN LETTER SIZE, IF YOU GO TO ALMOST THE LAST TWO
15 PAGES OR THE LAST THREE PAGES, YOU WILL SEE SOMETHING
16 SIMILAR TO THIS. YOU FOLLOW ME?

17 MS. WANG: YES, IT'S VERY CLEAR.

18 MR. PEREZ: OKAY. WHAT HAPPENED. I NOTICED THIS WAS
19 NOT EASY TO READ, SO I PRINTED IT OUT INDEPENDENTLY IN 11 X
20 17. THAT'S IT. THAT'S ALL I WANTED TO CLARIFY.

21 MR. CATES: OKAY. THANK YOU.

22 REVIEW OF NEW BOARD REPORTS, AND I'LL TURN IT
23 OVER TO QUINCY AND START WITH THE QUESTION WHEN DID WE GET
24 THEM?

25 MR. HOCUTT: I DON'T KNOW. WHEN DID WE GET THEM? TWO

1 DAYS AGO?

2 MR. CATES: TWO DAYS AGO. YOU'RE RIGHT.

3 MR. HOCUTT: DO YOU ALL HAVE A COPY OF THIS IN YOUR
4 PACKAGE? IT'S ONLY ONE SHEET WITH A YELLOW AND GREEN
5 STRIPE.

6 THE RECOMMENDATIONS ON THE SIDE ARE BASICALLY ME.
7 WHAT I TRY TO DO HERE IS JUST SUMMARIZE WHAT THIS THING IS
8 AND MAKE AN ARGUMENT FOR OR AGAINST AND MAKE A
9 RECOMMENDATION, AND YOU GUYS CAN VOTE YEA OR NAY IN THE
10 RECOMMENDATION. I TRIED TO DO ALL THESE NUMERICALLY TO
11 MAKE SURE THAT WE DON'T LOSE ANY IN THE PROCESS.

12 SO 1222 AND 1227 WERE MISSING THE LAST TIME, BUT
13 MIGUEL TELLS ME THAT 1222 IS NOT AN ISSUE FOR REVIEW BY THE
14 COC, AND IT WAS ACTUALLY WITHDRAWN FROM THE BOARD SO THAT'S
15 A WHO CARES. 1227 WAS DEALING WITH THE SUPERINTENDENT'S
16 CONSOLIDATED ADVISORY COMMITTEE, WHATEVER THAT IS, BUT WE
17 HAVE NO INFLUENCE ON THAT.

18 SO MOVING ON TO 1228 WAS A REQUEST TO REJECT ALL
19 THE BIDS FOR A CONSTRUCTION OF A SOUND WALL AT SIERRA MADRE
20 BECAUSE THE NEIGHBORHOOD COMPLAINED ABOUT THE NOISE THE
21 KIDS WERE MAKING WITH BASKETBALL. APPARENTLY THE DISTRICT
22 DID NOT RECEIVE A BID THAT THEY LIKED. IT EXCEEDED
23 ANYTHING THEY EXPECTED SO THEY'RE ASKING THE BOARD TO
24 REJECT THE BIDS, AND THAT SEEMS REASONABLE SO I SAID
25 APPROVE IT.

1 1228 -- EXCUSE ME. THAT WAS 1228. 1229 WAS FOR
2 ADDITIONAL CONSTRUCTION ADMIN SERVICES BY A GROUP CALLED
3 LPA OF WASHINGTON ELEMENTARY.

4 GOSH, DOES THAT SOUND FAMILIAR?

5 I SEE I HAVE A WRONG WORD HERE. IN THE ARGUMENT
6 FOR IT SAYS, "ADDITIONAL ANALYSIS NEEDED DUE TO THE FAULTY
7 CONSTRUCTION WORK BEING ENCOUNTERED WITH REGARD TO STEEL
8 STUD FRAMING." SO I WOULD RECOMMEND THAT WE APPROVE
9 ADDITIONAL CONSTRUCTION ADMINISTRATION SERVICES.

10 MS. WANG: IT MUST BE A TYPO.

11 MR. HOCUTT: OBVIOUSLY I TYPED FACULTY AND THE WORD
12 SPELL CHECK DID NOT PICK THAT UP.

13 1230 THAT IS FOR THE ATHLETIC TRACK SURFACING AT
14 BLAIR HIGH. WE'VE TALKED ABOUT THESE THREE TRACKS BEFORE.
15 THIS IS FOR \$82,000. WHAT THE DEVIL IS THIS FOR? I SAID
16 DISAPPROVE BECAUSE WHEN I LOOKED AT THE DETAIL, I GOT
17 CONCERNED. FOR EXAMPLE, THE ARCHITECTURAL FEES THAT WE'RE
18 TALKING ABOUT ARE BASED UPON AN ESTIMATED CONSTRUCTION
19 COST. I NOTED THAT IN ORDER TO GET TO THE ESTIMATED
20 CONSTRUCTION COSTS, WHICH IN MY MIND IS DRIVING NAILS AND
21 LAYING CEMENT, THEY HAD AN ITEM IN THERE FOR QUITE A FEW
22 THOUSAND DOLLARS FOR A DESIGN CONTINGENCY, AND THEY HAD
23 OTHER ITEMS LISTED TO GET TO THE TOTAL CONSTRUCTION COST.
24 IT SEEMED TO MY UNPRACTICED EYE THAT SOMEONE HAD SIMPLY
25 INFLATED THE CONSTRUCTION COST SO THAT THEY COULD INDEED

1 INFLATE THE ARCHITECTURAL FEES.

2 WHEN I LOOKED AT WHAT THE CALCULATION SHOULD BE
3 BASED ON WHAT THEY SAID THE RATES WERE, EVEN USING THEIR
4 INFLATED NUMBERS, I COME UP TO 77,000, NOT 82,000. SO I
5 CONTEND THEIR MATH ISN'T CORRECT.

6 MR. COLE: WOULD DESIGN CONTINGENCY JUST BE WHAT IT
7 SEEMS TO SAY? TO HAVE LIKE A HIGHER AMOUNT APPROVED SO
8 THEY WOULDN'T HAVE TO GO BACK TO APPROVAL IF SOMETHING
9 UNFORESEEN CAME IN THAT THEY WOULD HAVE TO REDO?

10 MR. HOCUTT: COULD BE. THEN WHY WOULD YOU BASE YOUR
11 FIGURES ON THAT?

12 MR. COLE: IS IT A NOT TO EXCEED OR A TOTAL FEE?

13 MR. HOCUTT: I THINK IT'S A TOTAL FEE.

14 MR. BOLAND: I THINK THEY'RE GOING TO ANTICIPATE A
15 CERTAIN AMOUNT OF REVISION AND DESIGN.

16 MS. KENNE: FOR CHANGE ORDERS.

17 MR. VITALE: HOWEVER, IF I MAY, THE DIFFICULTY THAT I
18 SAW WHEN Q SHOWED THIS TO ME, THEY'RE NOT USING A STANDARD
19 AIA CONTRACT FORM. THE DISTRICT IS ACCEPTING A FORM THAT
20 IS UNIQUE TO THIS ARCHITECTURAL FIRM THAT THEY HAVE DRAWN
21 UP THEMSELVES WITH THEIR OWN DEFINITIONS AS TO WHAT
22 CONSTITUTES CONSTRUCTION COST.

23 SO THE INCLUSION OF SOFT COSTS IN THE
24 CONSTRUCTION -- THE HARD COSTS -- IS NOT CUSTOMARILY THE
25 WAY IT'S DONE. YOUR SOFT COSTS FOR ARCHITECTURAL

1 ENGINEERING AND EVERYTHING ARE BASED UPON ULTIMATELY THE
2 ESTIMATED CONTRACT OF CONSTRUCTION. IT DOES NOT INCLUDE
3 OVERHEAD PROFIT AND ALL OF THE OTHER THINGS THAT THE
4 DISTRICT HAS ALLOWED THEM TO INCLUDE IN THE CONTRACT WHICH
5 I FIND SURPRISING TOO BECAUSE MOST DISTRICTS ARE PRETTY
6 HARD NOSED ABOUT THE CONTENTS OF THE CONTRACT FOR SERVICES
7 PERFORMED BY THE ARCHITECT, AND FOR THE DISTRICT TO ACCEPT
8 THE ARCHITECT'S CONTRACT, TERMS, AND CONDITIONS IS HIGHLY
9 UNUSUAL AND UNIQUE, AND I DO NOT UNDERSTAND JUSTIFICATION
10 FOR ACCEPTING THAT CONTRACT FORM.

11 MR. HOCUTT: SO I THINK HE'S SAYING THE CONSTRUCTION
12 COSTS IN MY WORDS WOULD BE INFLATED, THEREFORE, INFLATING
13 THE ARCHITECTURAL FEES.

14 MS. CROSS: THIS SEEMS JUST LIKE A BEST PRACTICE THAT
15 SHOULD BE ACROSS THE BOARD WHEN YOU'RE CONSIDERING THESE
16 TYPE OF DOCUMENTS TO BEGIN WITH ACROSS THE ENTIRE DISTRICT.

17 MR. VITALE: THANK YOU. EXACTLY.

18 MS. CROSS: SO IF THIS KIND OF THING IS HAPPENING, WE
19 COULD NIP THAT IN THE BUD BY JUST SAYING THIS CAN'T HAPPEN
20 ANYMORE. HERE'S THE CONTRACT, HERE'S THE STANDARD FORM.
21 THIS IS THE ONLY ONE WE CAN USE. NO OTHER FIRM CAN BRING
22 IN THEIR OWN FORMS.

23 MR. DEVEER: THE AIA HAS BEEN USING STANDARD FORMS FOR
24 OVER 150 YEARS, AND THEY'VE BEEN TOSSED OUT THE WINDOW.

25 MR. VITALE: WELL, THEY'VE BEEN TOSSED OUT THE WINDOW

1 ONLY FROM THE STANDPOINT THAT THEY HAVE BEEN MODIFIED ON A
2 JOB-BY-JOB BASIS, BUT THE UNDERLYING BASIC LANGUAGE IS THE
3 MODEL THAT THEY WORK WITH. WHETHER THEY USE AN AGC FORM OR
4 A LANDSCAPE ARCHITECT FORM OR ANYTHING ELSE, IT IS THE FORM
5 CONTENT. IN EVERY DISTRICT THAT I'VE BEEN EXPOSED TO, AND
6 UNFORTUNATELY BECAUSE CMS HAVE BEEN INVOLVED, THEY HAVE
7 CREATED A STANDARD CONTRACT FORM THAT AN ARCHITECT IS
8 REQUIRED TO ACCEPT OR REJECT OR TO ASK FOR MODIFICATIONS,
9 BUT IT IS MUCH MORE CONCISE AND CLEAR AS TO WHAT IT IS THAT
10 THE DISTRICT IS PAYING FOR. THAT DOESN'T APPEAR TO BE THE
11 CASE HERE.

12 MS. CROSS: THIS IS LIKE THE FOX WATCHING THE HEN
13 HOUSE --

14 MR. VITALE: EXACTLY.

15 MS. CROSS: -- WHEN IT COMES TO CONTRACTING.

16 MR. VITALE: IT'S TOTALLY CONTRARY. IN THE PRIVATE
17 SECTOR YOU WOULDN'T BUY INTO SOMETHING LIKE THIS.

18 MS. CROSS: NO, YOU WOULD NOT.

19 MR. HOCUTT: BY THE WAY, I WILL ADD IF YOU USE THE
20 PHRASE "FOX IN HEN HOUSE," YOU WILL RECEIVE A WRITTEN
21 CONDEMNATION FROM THE BOARD.

22 MS. CROSS: REALLY? I'LL JOIN YOU.

23 MR. HOCUTT: THANK YOU.

24 MR. CATES: WHY?

25 MR. HOCUTT: WHY? BECAUSE I WAS INSULTING THE BOARD.

1 MR. DEVEER: WE WERE SCOLDED FROM THE BOARD SIX MONTHS
2 AGO ON USING THAT TERM.

3 MR. VITALE: I APOLOGIZE. I WASN'T AWARE OF THE RULES
4 OF ENGAGEMENT. I WILL REFRAIN IN THE FUTURE.

5 MR. HOCUTT: IT'S NOT A RULE OF ENGAGEMENT.

6 MS. CROSS: IT'S JUST CONTINUITY OF CONTRACTING FOR
7 THE ENTIRE DISTRICT.

8 MR. VITALE: RIGHT.

9 MR. CATES: LESLIE, LET ME ASK YOU. WHEN WE SAY OKAY,
10 THIS IS NOT THE WAY TO RUN A CONSTRUCTION BUSINESS, AND
11 DON'T DO IT ANYMORE, SOUND FAMILIAR?

12 MR. HOCUTT: THAT'S WHAT WE SHOULD DO.

13 MS. CROSS: YES. AND THAT'S ALL WE HAVE THE POWER TO
14 DO.

15 MR. CATES: NOT ENTIRELY. THERE ARE SO MANY
16 VIOLATIONS OF BEST PRACTICE THAT WE CAN'T DEAL WITH THEM
17 ALL. WE SIMPLY CAN'T. AND OUR APPROACH SO FAR HAS BEEN TO
18 DEAL WITH WHAT ARE THE CLEAR VIOLATIONS OF LAW AND USUALLY
19 NOT EVEN TRY TO DEAL WITH BEST PRACTICE. I'M NOT SAYING WE
20 SHOULDN'T, BUT WE HAVE TO PICK OUR BATTLES.

21 MS. CROSS: WOULDN'T IT BE REFRESHING IF WE WERE ABLE
22 TO ACCOMPLISH ONE LIKE THAT BIG ONE ACROSS THE ENTIRE
23 DISTRICT?

24 MR. HOCUTT: THAT'S A BIG ONE.

25 MS. CROSS: ARCHITECTURAL FIRMS STANDARD CONTRACTS.

1 NO QUESTIONS.

2 MR. CATES: LET'S GIVE IT A TRY. WE'LL BE VOTING ON
3 THESE SHORTLY. STEVE WILL REPORT THIS TO THE FACILITIES
4 COMMITTEE, AND I TRUST THE FACILITIES COMMITTEE WILL LISTEN
5 INTENTLY, AGREE, AND SAY WE'VE GOT TO CLEAN UP OUR ACTS,
6 AND WE WILL RECOMMEND TO THE BOARD THAT ALL THESE CONTRACTS
7 BE CHANGED.

8 MS. CROSS: THAT WOULD BE AN AMAZING WIN, AND THAT
9 WOULD BE RIGHT IN LINE WITH WHAT THE COMMITTEE IS SUPPOSED
10 TO BE DOING.

11 MR. CATES: YES.

12 MR. HOCUTT: NOW, ON 1230 THERE IS A THIRD ARGUMENT,
13 AND I THOUGHT THIS ONE IS IMPORTANT. MIGUEL HAS HANDED US
14 OUT THIS THING THAT THE BOARD WILL BE CONSIDERING TOMORROW
15 NIGHT. THIS IS THE NEW SPEND-OUT PLAN, AND IT DOES
16 INCLUDE, I THINK, \$900,000 FOR THE CONSTRUCTION OF THE
17 TRACK. WHAT THIS BR IS TALKING ABOUT ARE THE ARCHITECTURAL
18 FEES, BUT THE POINT IS NO WHERE IN THIS THING FOR TOMORROW
19 NIGHT HAS FACILITIES INCLUDED THE ARCHITECTURAL FEES. SO
20 WHATEVER THEY'RE TALKING ABOUT HERE IS NOT ENOUGH. BECAUSE
21 THIS BR IS NOT INCLUDED. IT'S EXTRA. AM I INCORRECT?

22 MS. KENNE: THE SPEND-OUT PLAN, AS I UNDERSTAND IT,
23 ONLY HAS CONSTRUCTION COSTS, AND I HAD ASKED THAT WE MAKE
24 SURE THAT THAT'S CLARIFIED ON THAT REPORT. WHAT I WILL SAY
25 IS THAT THE TRACK CONSTRUCTION SEEMS TO BE COMING OUT OF

1 DEVELOPER FEES. I DON'T SEE WHY THE DESIGN COULDN'T ALSO
2 COME OUT OF DEVELOPER FEES.

3 MR. HOCUTT: I WOULD AGREE WITH THAT. LET'S PUT THE
4 DEVELOPER FEES ASIDE FOR A SECOND AND JUST PRETEND FOR THE
5 MOMENT THAT THIS REALLY IS TT. IT REALLY ISN'T. THERE'S
6 OTHER STUFF IN IT, BUT PRETEND IT'S JUST TT. WHY WOULD
7 FACILITIES NOT INCLUDE THE ARCHITECTURAL COSTS AS PART OF
8 THE CONSTRUCTION COSTS BECAUSE THEY CERTAINLY ARE?

9 MS. KENNE: THOSE ARE THE HARD CONSTRUCTION COSTS.
10 THEY'RE NOT THE PROJECT COSTS.

11 MR. HOCUTT: THAT'S NOT TRUE. BECAUSE THIS THING
12 SUPPOSEDLY ADDS UP TO THE \$126 MILLION LEFT TO SPEND WHICH
13 WOULD INCLUDE ARCHITECTURAL COSTS WHICH ARE SUBSTANTIAL.

14 MS. KENNE: YOU SEE THE WORD YOU'RE USING THERE? YOU
15 USED THE WORD "SUPPOSEDLY." YOU JUST SAID "SUPPOSEDLY."

16 MR. HOCUTT: CONSTRUCTION COSTS HAVE TO INCLUDE
17 ARCHITECTURAL FEES.

18 MS. KENNE: NO. HARD COSTS; SOFT COSTS. THAT'S HARD
19 COSTS.

20 MS. RAHN: IT'S NOT COMPLETE. AGAIN, RATIONALITY DOES
21 NOT PREVAIL.

22 MS. WANG: SO THIS WILL GET MIXED TOGETHER WITH
23 NELSON'S SALARY AND ALL OF THESE LEGAL FEES?

24 MS. KENNE: NO, NO. THIS WILL BE BILLED TO THE
25 PROJECT, BUT, AGAIN, THAT PROJECT IS BEING PAID OUT OF

1 DEVELOPER FEES.

2 MR. HOCUTT: DO YOU REALIZE THAT MOST OF THE BRS THAT
3 WE TALK ABOUT IN HERE FOR THE LAST YEAR HAVE BEEN FOR
4 ARCHITECTURAL FEES AND NEEDS ASSESSMENTS?

5 MS. KENNE: I CERTAINLY DO.

6 MR. HOCUTT: WHICH ARE DONE BY ARCHITECTS. ARE WE
7 SAYING THAT NONE OF THAT IS IN THE BUDGET FOR CONSTRUCTION
8 COSTS?

9 MS. KENNE: ON THAT PIECE OF PAPER.

10 MR. HOCUTT: DEAR GOD.

11 YOU MAY WRITE THAT DOWN.

12 MR. VITALE: SO WHO IS PAYING THOSE FEES?

13 MS. KENNE: NO. I'M JUST SAYING THAT DOCUMENT IS JUST
14 CONSTRUCTION COSTS. SOMEWHERE THERE IS A BUDGET.

15 MR. CATES: IS THIS WHAT THE BOARD IS GOING TO BE
16 ASKED TO APPROVE TOMORROW?

17 MS. KENNE: DOES IT SAY CONSTRUCTION COSTS ARE
18 INCLUDED BECAUSE I ASKED THAT IT DID.

19 MR. HOCUTT: YEAH. APPROVED PROJECTS TO MOVE FORWARD
20 FOR CONSTRUCTION WHICH MEANS FOR PART OF IT IS
21 ARCHITECTURAL COSTS.

22 MR. CATES: SO YOU HAVE A 118 MILLION I THINK OF HARD
23 COSTS BUT NONE OF THE ASSOCIATED SOFT COSTS?

24 MS. KENNE: ON THIS PAPER OF PAPER.

25 MR. CATES: SO WHAT IS THE VALUE OF THIS PIECE OF

1 PAPER?

2 MR. HOCUTT: I WENT THROUGH THIS VERY QUICKLY THIS
3 AFTERNOON, AND I PROBABLY MESSED UP THE ADDING OF THE EXCEL
4 THINGS, BUT THIS THING ADDS UP TO MORE THAN 126 MILLION.
5 IT'S LIKE 131 MILLION IF MY NUMBERS ARE CORRECT.

6 MR. PEREZ: THAT IS WHY THE BOARD HAS TO DECIDE. THIS
7 IS A PROPOSAL TO THE BOARD. HEY, WE HAVE ALL OF THESE.
8 PLEASE SELECT HOW DO YOU WANT TO SPEND YOUR FUNDS.

9 MS. RAHN: BUT IT IS HARD WITHOUT THE FULL BUDGET TO
10 DO THAT.

11 MS. WANG: I HAVE A QUESTION. IF YOU'RE SPENDING THE
12 ARCHITECTURAL COSTS HERE AND THEN THE CONSTRUCTION COST IS
13 NOT HERE, THEN WHY DO YOU WANT TO SPEND SOMETHING NOT
14 RELATED AND YOU DESIGN SOMETHING BUT YOU'RE NOT GOING TO
15 WORK ON IT? IT'S INCONSISTENT TO THE READERS. THE BOARD
16 WON'T REMEMBER WHAT ARCHITECTURE FEE PAID FOR WHAT. DO
17 YOU?

18 MR. PEREZ: I HAVE TO COMMENT. IT WAS MENTIONED
19 BEFORE THAT THE TT FUNDS SHOULD NOT BE USED FOR PROJECTS
20 THAT WERE NOT GOING TO BE BUILT OUT OF TT FUNDS. REMEMBER
21 THAT?

22 MR. HOCUTT: YES.

23 MR. PEREZ: AND IT HAS HAPPENED THAT FUNDS BECOME
24 AVAILABLE AND THE PROJECTS ARE NOT READY, AND THERE IS A
25 TIME FRAME TO GET A GRANT OR TO GET MONEY FROM THE STATE,

1 FOR INSTANCE, AND I WOULD LIKE YOU GUYS TO RETHINK THAT
2 CASE. THAT WHAT HAPPENS IF THERE ARE FUNDS, BUT YOU DON'T
3 HAVE ANY PROJECTS APPROVED? YOU WOULD HAVE A GAP BETWEEN
4 ONE PROJECT AND THE OTHER, AND THERE WILL BE NO
5 CONSTRUCTION FOR TWO YEARS OR WHAT IT NORMALLY TAKES. SO
6 THAT'S WHAT I WANTED TO MENTION TO YOU GUYS. THAT YOU HAVE
7 TO INVEST IN DOING PROJECTS AHEAD OF PUTTING THE MONEY TO
8 BUILD THEM. OKAY? AND THAT'S THE NORMAL PROCEDURE IN ANY
9 CONSTRUCTION PROJECT. YOU HAVE TO PAY THE ARCHITECT FIRST,
10 AND THEN YOU SPEND OR FIND OUT THE FUNDS. AND I DON'T WANT
11 TO DISCUSS. THIS IS JUST AN OPINION THAT I WANT TO SHARE
12 WITH YOU.

13 MR. HOCUTT: IT'S A GOOD OPINION, BUT IF THAT'S THE
14 CASE, WHY DID FACILITIES WRITE IN THEIR OWN DOCUMENT THESE
15 WORDS: "NO FUNDS WILL BE SPENT FOR FUTURE PLANNING ON
16 PROJECTS THAT CANNOT BE COMPLETED USING TT FUNDS"?

17 MR. BOLAND: BECAUSE WE GOT THAT RULING.

18 MR. PEREZ: EXCUSE ME.

19 MR. CATES: LET FRANCIS FINISH.

20 MR. BOLAND: I TALKED TO NELSON A LITTLE ABOUT THAT,
21 AND I KIND OF AGREE WITH WHAT HE'S TRYING TO SAY. NELSON
22 IS NOT DEALING WITH LIKE ONE TIME FRAME. HE'S DEALING WITH
23 A CONTINUUM; RIGHT? IN WHICH CASE YOU HAVE TO DEVELOP YOUR
24 PIPELINE, AND YOU HAVE TO DO THE FEASIBILITY STUDIES FOR
25 THAT PIPELINE. SO THOSE PROJECTS THAT YOU'RE DOING

1 FEASIBILITY STUDIES FOR, THEY'RE PROBABLY NOT GOING TO BE
2 COVERED BY THIS PARTICULAR BOND ISSUE, AND THAT'S NOT
3 NELSON'S -- HE'S GOT TO CONCERN HIMSELF WITH THESE YEARS TO
4 COME THAT ARE NOT IN THIS BOND ISSUE. SO THOSE FEASIBILITY
5 STUDIES NEED TO BE DONE IN ORDER TO EFFICIENTLY USE THE
6 BOND MONEY, AND I THINK THAT THE RULING IS
7 COUNTER-PRODUCTIVE TODAY.

8 MS. WANG: WE WENT OVER THIS SUBJECT A COUPLE MEETINGS
9 AGO. IF THE TT BOND HAS BEEN EXHAUSTED, THE FEASIBLE STUDY
10 MONEY IS BECOMING A WASTE; RIGHT?

11 MR. CATES: RIGHT. NOT ONLY A WASTE --

12 MR. BOLAND: I DISAGREE WITH THAT BECAUSE THE KIDS ARE
13 STILL GOING TO BE IN SCHOOL IN TWO YEARS. THEY'RE GOING TO
14 KEEP COMING AND COMING. YOU'RE GOING TO NEED FACILITIES.
15 YOU'RE GOING TO HAVE PROJECTS, AND IN ORDER TO DO THOSE
16 PROJECTS, YOU'RE GOING TO NEED STUDIES THAT SET THOSE
17 PROJECTS UP. IT'S AN EFFICIENCY THAT WE'VE CREATED BY
18 HAVING THAT RULING.

19 MR. CATES: YOU'RE ABSOLUTELY RIGHT. YOU NEED TO PLAN
20 AHEAD WHICH IS EFFECTIVELY WHAT YOU'RE SAYING, BUT IT IS
21 NOT LEGAL TO USE TT FUNDS FOR FEASIBILITY STUDIES FOR
22 PROJECTS THAT CANNOT REASONABLY BE EXPECTED TO BE PAID FOR
23 BY TT. WE HAD THE OPINION OF OUR COUNSEL ON THAT MATTER.
24 IT HAS BEEN REFERRED TO COUNSEL. SO TO THE EXTENT THAT TT
25 FUNDS ARE GOING TO BE USED FOR FEASIBILITY STUDIES FOR

1 POST-TT PROJECTS, WE'VE GOT YET ANOTHER PROBLEM.

2 MIGUEL.

3 MR. PEREZ: DID YOU JUST SAY THAT IT'S NOT LEGAL?

4 MR. CATES: YES.

5 MR. PEREZ: I WOULD LIKE TO PUT ON THE RECORD THAT THE
6 OPINION OF YOUR COUNSEL IS THAT'S NOT LEGAL. OKAY? HE
7 MIGHT BE RIGHT; HE MIGHT BE WRONG.

8 MR. CATES: WELL, IT'S THE OPINION OF OUR COUNSEL, AND
9 IT WAS ALSO THE OPINION OF THE COC SEVERAL MONTHS AGO.
10 YOU'RE RIGHT.

11 MR. PEREZ: YES. BUT THE COC IS NOT AUTHORIZED TO
12 DETERMINE WHAT IS LEGAL OR WHAT IS NOT LEGAL. THAT'S THE
13 WAY I SEE IT.

14 MR. CATES: YOU'RE ABSOLUTELY WRONG.

15 MR. PEREZ: LET ME FINISH. I WANTED TO QUOTE THAT'S
16 THE OPINION OF THE LEGAL COUNSELOR YOU CONSULTED. AS YOU
17 ARE AWARE, IF YOU PRESENT A PROBLEM TO 30 DIFFERENT
18 COUNSELORS, YOU MIGHT GET AT LEAST TWO DIFFERENT OPINIONS,
19 AND I THINK YOU MIGHT BE MISGUIDED BY THINKING OR BELIEVING
20 THAT THIS IS ILLEGAL. I HAVE MY DOUBTS. I JUST WANTED TO
21 POSE THIS TO YOU GUYS.

22 MR. CATES: OKAY. YOU'RE RIGHT. DIFFERENT LAWYERS
23 HAVE DIFFERENT OPINIONS. WHAT IS THE OPINION OF THE
24 DISTRICT'S COUNSEL ON THIS MATTER? HAVE YOU SOUGHT AN
25 OPINION AS WE HAVE?

1 MR. PEREZ: I CANNOT ANSWER TO THAT.

2 MR. CATES: IF YOU HAVE, WE WOULD LOVE TO SEE IT.

3 MR. BOLAND: YOU SHOULD.

4 MR. CATES: REMEMBER THE CATES DEFINITION OF "SHOULD."

5 MR. BOLAND: I'M JUST SAYING HE SAID DIFFERENT

6 LAWYERS, DIFFERENT OPINIONS.

7 MR. CATES: WE HAVE -- WE HIRED INDEPENDENT COUNSEL
8 BECAUSE WE NEED IT, AND OVER THE PAST YEAR OR SO OUR
9 COUNSEL HAS RENDERED OPINIONS ON SEVERAL MATTERS -- THREE,
10 FOUR. NO MORE THAN THAT. AND WE'VE PASSED OUR ADVICE,
11 RECOMMENDATIONS TO THE BOARD AND THE DISTRICT BASED ON
12 THESE OPINIONS. WE'VE NEVER HEARD OF ANY REBUTTAL OPINION,
13 AND, MY GOD, THE DISTRICT SPENDS AN AWFUL LOT ON ITS LEGAL
14 COUNSEL. A LOT MORE THAN WE DO. AS A MATTER OF FACT, MORE
15 THAN A HUNDRED TIMES WHAT WE DO.

16 SO, MIGUEL, A QUESTION THAT I WOULD APPRECIATE
17 YOU TAKING BACK, HAS THE DISTRICT CONSULTED WITH ITS LEGAL
18 COUNSEL ON ANY OF THESE MATTERS, AND, IF SO, WOULD YOU BE
19 KIND ENOUGH TO LET US KNOW WHAT THEIR OPINION IS. MAYBE
20 THEY'RE RIGHT, AND WE'RE WRONG.

21 MR. BOLAND: ALSO, WASN'T IT COUNSEL'S OPINION BASED
22 ON THE FACT THAT THEY CAN'T REASONABLY EXPECT TO COMPLETE
23 THOSE PROJECTS BECAUSE YOU DON'T KNOW THAT YOU HAVE ANOTHER
24 BOND COMING. ONCE YOU DO KNOW THERE'S ANOTHER BOND COMING,
25 THEN DOES IT BECOME LEGAL TO DO FEASIBILITY STUDIES?

1 MR. CATES: WE HAVEN'T ADDRESSED THAT ISSUE.

2 MR. BOLAND: I'M JUST SAYING SOMEBODY HAS GOT TO DO
3 FEASIBILITY STUDIES IF YOU WANT TO EFFICIENTLY USE THIS
4 MONEY IN THE FUTURE.

5 MR. VITALE: FRANCIS, IF I MAY, THE BALLOT DOCUMENT
6 IDENTIFIED A SERIES OF POTENTIAL PROJECTS. EACH OF THOSE
7 PROJECTS IN THEORY FEASIBILITY STUDIES COULD BE DONE ON.
8 NOW, YOU'RE TALKING ABOUT THE POTENTIAL ADDITIONAL PROJECTS
9 OVER AND ABOVE WHAT WAS ON THE ORIGINAL BALLOT LIST. SO IF
10 THOSE ARE TO HAVE FEASIBILITY STUDIES DONE IN ANTICIPATION
11 OF A FUTURE BOND OR SOMETHING LIKE THAT, THEN IT REMAINS
12 FOR THE DISTRICT OUT OF THEIR OWN GENERAL FUNDS TO COME UP
13 WITH THE MONEYS TO TAKE AND SPONSOR THOSE FEASIBILITY
14 STUDIES. WOULDN'T THAT MAKE LOGICAL SENSE?

15 MR. BOLAND: AREN'T THE FEASIBILITY STUDIES RELATED TO
16 THE CONSTRUCTION OF NEW SCHOOLS?

17 MR. VITALE: OF NEW SCHOOLS THAT ARE PLANNED FOR THE
18 FUTURE BUT ARE NOT PRESENTLY CONTAINED WITHIN THOSE SITES
19 THAT WERE IDENTIFIED UNDER THE TT BALLOT. YOU ARE NOW
20 ADDING TO THAT BALLOT ADDITIONAL SITES OR ADDITIONS
21 POSSIBLY TO OTHER SITES BECAUSE I DON'T THINK THAT LIST
22 IS --

23 MR. BOLAND: I'M NOT ADDING. I'M THINKING OF THE TIME
24 WHERE IN FACT THAT STUDENTS KEEP COMING IS ADDING TO THAT
25 LIST. THESE STUDENTS ARE GOING TO KEEP COMING.

1 MS. KENNE: HERE IS WHAT I WILL SAY. MIGUEL HAS
2 BROUGHT UP AN INTERESTING POINT. THANK YOU, MIGUEL. FOR
3 THE FUTURE DECISIONS OF HOW THE MONEY SHOULD BE SPENT,
4 THAT'S WHAT THE BOARD IS GOING TO DISCUSS TOMORROW, AND
5 IT'S REALLY THE BOARD -- AND I'M NOT SAYING THAT LISTENING
6 TO EVERYONE'S -- I WANT TO HEAR WHAT PEOPLE THINK ABOUT
7 THAT, BUT I'M JUST SAYING THAT YOU GUYS CAN'T AFFECT IT.
8 IT'S REALLY A BOARD DECISION. IT'S ABOUT TALKING TO THE
9 BOARD OR MAKING PUBLIC COMMENT TOMORROW NIGHT ABOUT THE
10 BOARD.

11 NOW, SOME OF THIS IS PAST WHICH IS MY
12 UNDERSTANDING THAT THAT MAY BE SOMETHING THAT WE DISCUSS
13 WITH THE AUDITOR. JUST TO FRANCIS' POINT, THOUGH, WE SPENT
14 MONEY TO MODERNIZE ALTADENA, AND IT WAS JUST FINISHED
15 WITHIN THE LAST 12 MONTHS, AND A FEASIBILITY STUDY WAS DONE
16 AFTER THE ENTIRE MODERNIZATION WAS DONE TO SET UP WORK FOR
17 THE NEXT BOND AFTER WE JUST FINISHED SPENDING MILLIONS OF
18 DOLLARS ON ALTADENA. IT'S THAT KIND OF FEASIBILITY STUDY
19 RIGHT AFTER THE MODERNIZATION.

20 MR. BOLAND: THAT'S RIDICULOUS. THAT'S RIDICULOUS ON
21 ITS OWN SELF.

22 MS. KENNE: BUT THAT'S WHAT THESE GUYS ARE TALKING
23 ABOUT.

24 MR. BOLAND: I'M TALKING ABOUT LEGITIMATE NEEDS.

25 MS. KENNE: I KNOW. I'M JUST TELLING YOU THIS IS

1 WHAT -- BUT, AGAIN, SO WE ARE LOOKING AT IT, AND I'M ONE OF
2 THE PEOPLE WHO'S UNCOMFORTABLE SPENDING DESIGN MONEY, NOT
3 EVEN FEASIBILITY STUDIES, BUT DESIGNING A PROJECT THAT WE
4 HOPE OUR NEXT BOND WILL BE ALLOCATED TO US AND WE'LL BE
5 ABLE TO BUILD BECAUSE WE DON'T KNOW WHAT IS GOING TO HAPPEN
6 AND DESIGNS HAVE A SHELF LIFE. IT'S MY UNDERSTANDING WE'VE
7 DONE SOME DESIGNS THAT WE'VE HAD TO DO AGAIN BECAUSE WE
8 WAITED TOO LONG TO BUILD THEM.

9 MS. RAHN: THE REASON THEY HAVE TO GO SEE IN ALTADENA
10 IS AGAIN ALL POLITICAL. IF WE GO AFTER ANOTHER BOND, IT
11 HAS TO BE BIG ENOUGH TO INCLUDE ALL SCHOOLS. THAT'S THE
12 WAY YOU GET THESE THINGS PASSED.

13 MR. BOLAND: I APOLOGIZE FOR MAKING YOU BACK UP. I
14 JUST THOUGHT THAT HIS POINT WAS GOOD IN THAT WE WANT TO
15 PROVIDE OVERSIGHT, BUT WE DON'T WANT TO IMPACT THE
16 INEFFICIENT USE OF THIS MONEY.

17 MR. VITALE: FRANCIS, I STAND CORRECTED. I'M GOING TO
18 SWALLOW MY WHATEVER ON THIS. IN LOOKING AT THE FULL TEXT
19 OF BALLOT MEASURE TT, IT DOES SAY, "EACH PROJECT LISTED IS
20 ASSUMED TO INCLUDE ITS SHARE OF THE COSTS OF ARCHITECTURAL,
21 ENGINEERING, INSPECTION, AND OTHER PLANNING COSTS AND OTHER
22 COSTS INCIDENTAL TO AND NECESSARY FOR COMPLETION OF THE
23 LISTED PROJECTS."

24 IN THE PRECEDING LIST OF THE FULL TEXT OF THE
25 BALLOT MEASURE, IT GIVES A RUNNING LIST OF MAYBE PROJECTS,

1 A TWO-PAGE RUNNING LIST OF MAYBE PROJECTS THAT MAY BE
2 DETERMINED TO BE NEEDED OVER TIME IN ALL OF THOSE SCHOOL
3 SITES. SO IN REALITY IT DOES SAY THAT YOU CAN PAY FOR
4 STUDIES TO BE DONE ON SCHOOLS AS THE NEED ARISES OR IS
5 DETERMINED TO DO SO. SO, IN FACT, THE LANGUAGE IS THERE
6 THAT DOES ACCOMMODATE THAT, AND I THANK YOU FOR SHOWING ME
7 THAT.

8 MR. BOLAND: BUT DOING IT AFTER IT'S BUILT IS STUPID.

9 MR. VITALE: NO, NO, NO. HE JUST SAID, YES, THE
10 DISTRICT IS GOING TO CONTINUE TO GROW, SCHOOLS ARE GOING TO
11 HAVE MORE KIDS COMING IN POSSIBLY.

12 MS. RAHN: WE HAVE NO PROOF OF THAT. WE HAVE ZERO
13 PROOF. THIS DISTRICT IS SHRINKING EVERY SINGLE YEAR.

14 MR. CATES: IT'S SHRINKING AND --

15 MR. VITALE: BUT THE SCHOOLS GET PROGRESSIVELY OLDER
16 EACH YEAR OF THE BOND, AND AS A RESULT AS THEY BEGIN TO
17 AGE, DEFERRED MAINTENANCE COMES INTO PLAY WHICH IN TURN
18 FALLS IN LINE WITH THE TWO PAGES OF POSSIBLE PROJECTS THAT
19 MAY OCCUR --

20 MS. RAHN: WE COULD POSSIBLY SELL HALF THE PROPERTIES
21 AND HAVE ENOUGH MONEY TO KEEP GOING. IT'S THAT BAD.

22 MR. CATES: THE FEASIBILITY ISSUE STUDY IS AN
23 INTERESTING AND IMPORTANT ONE, BUT WE HAVE TO GET THROUGH
24 THE BOARD REPORTS, PARTICULARLY THE SPEND-OUT PLAN GENERAL.

25 MR. COLE: WHERE ARE WE? ON 1230?

1 MR. HOCUTT: ON 1230 I'M NOT THROUGH. THERE WAS A
2 FOURTH ONE THAT SAYS, "THIS SPEND-OUT PLAN SAID THAT OTHER
3 THAN MEASURE TT FUNDS WERE BEING SOUGHT FOR THIS PROJECT,
4 AND SO THIS PROJECT WOULD NOT BE CONSIDERED UNTIL THAT
5 ISSUE WAS RESOLVED." SO ANOTHER FOURTH REASON WHY WOULD WE
6 CHARGE \$82,000 OUT OF TT FUNDS FOR A PROJECT THAT IS GOING
7 TO BE COVERED, MAYBE NOT DONE AT ALL, OR COVERED BY OTHER
8 FUNDS. SO FOR THOSE FOUR REASONS I MARKED IT AS
9 DISAPPROVAL. THAT'S WHERE WE ARE ON THAT ONE.

10 SHALL I CONTINUE ON AND WE CAN COME BACK AND
11 VOTE?

12 MR. CATES: HAVE YOU COVERED THEM ALL?

13 MR. HOCUTT: NO.

14 MR. COLE: IT WAS MY UNDERSTANDING -- I'M CURIOUS
15 ABOUT THIS. IT'S MY UNDERSTANDING -- AND THERE MAY BE NO
16 ANSWER TONIGHT -- THAT THE OTHER FUNDS THAT WERE INVOLVED
17 WERE FOR FURTHER ON WORK AND THOSE WOULDN'T COME ON UNLESS
18 THIS PART WAS DONE. SO IT LOOKS LIKE THERE'S ALMOST --
19 EITHER I HAVE A MISUNDERSTANDING OF WHAT WAS SUPPOSED TO BE
20 DONE OR IT WAS WRITTEN MISUNDERSTANDING IN HERE.

21 MR. HOCUTT: YOU'RE TALKING ABOUT THIS MORATORIUM?
22 YOU'RE NOT GOING TO DO IT UNTIL IT'S 80-PERCENT COMPLETE?

23 MR. COLE: NO, NO, NO. SO WHAT THERE IS IS THERE'S A
24 PARENT WHO IS TRYING TO GET FUNDS TO PUT LIGHTS OUT THERE,
25 AND FOR THAT TO HAPPEN AND FOR THE REST OF THE FIELD WORK

1 TO HAPPEN, THOSE DONORS WANTED BUY IN FROM THE DISTRICT
2 THAT THEY WERE GOING TO FIX THE TRACK AND PUT THE TRACK IN.
3 SO IT LOOKS LIKE THIS IS WORDED INCORRECTLY ON HERE, AND
4 WHAT WAS SUPPOSED TO HAPPEN IS THE DEVELOPER FEES WERE
5 SUPPOSED TO BE USED TO FIX THE TRACK SO THAT THE
6 INDEPENDENT DONOR WOULD THEN COME IN, PUT IN LIGHTS, AND
7 REDO THE BASEBALL FIELD AND DO ALL OF THAT.

8 MR. HOCUTT: IF YOU WERE GOING TO DO DEVELOPER FEES TO
9 PAY FOR THE TRACK, WHY THEN WOULD YOU CHARGE \$82,000 IN
10 DESIGN FEES OUT OF MEASURE TT?

11 MR. COLE: FOR THE TRACK? I DON'T KNOW THAT PART AS
12 TO WHETHER THEY NEEDED THE EXTRA MONEY THAT WASN'T IN THE
13 DEVELOPER FEES TO DO THE DESIGN. SO THAT I DON'T KNOW. IF
14 WOULD BE NICE TO HAVE SOMEBODY THAT COULD ANSWER THAT
15 QUESTION.

16 MS. CROSS: THERE CERTAINLY NEEDS TO BE A GRADING PLAN
17 DONE. THAT'S A BIGGY FOR A TRACK LIKE THAT. YOU NEED
18 MONEY FOR GRADING.

19 MR. HOCUTT: THAT'S ALL PART OF THIS I WOULD THINK.

20 MR. COLE: I'LL JUST PUT IT OUT THERE. DO WE THINK
21 THAT 82,000 IS OUTSIDE OF A MARGIN OF ERROR FOR A DESIGN,
22 OR DO WE THINK THAT THIS IS NOT A MEASURE TT EXPENSE? I
23 DON'T KNOW THE ANSWER FOR THAT, BUT THAT WOULD BE THE
24 QUESTION.

25 MR. HOCUTT: POTENTIAL ANSWERS MAY BE IT'S NOT A TT

1 EXPENSE BECAUSE THEY'RE GOING TO BUILD THE TRACK OUT OF
2 OTHER FUNDS SO THIS SHOULD FOLLOW THAT, AND OF COURSE THE
3 FACT THAT THE THING IS CALCULATED WRONG.

4 MR. COLE: IT'S WITHIN 5 GRAND.

5 MR. HOCUTT: IT'S STILL WRONG.

6 MS. RAHN: YOU COULD SAY APPROVED WITH NEW
7 CALCULATION. I THINK THE POINT IS IS IT SOMETHING WE DON'T
8 AGREE IS TT?

9 MS. WANG: WHY DON'T WE SAY DISAPPROVE WITH A SPECIFIC
10 DESCRIPTION.

11 MR. COLE: I'M THROWING IT OUT THERE FOR DISCUSSION
12 MORE THAN ANYTHING. SO ARE WE SAYING THAT IF SOMETHING IS
13 GOING TO BE DEMONSTRABLY PAID FOR OUT OF OTHER FUNDS, IT
14 CAN HAVE NO PART OF IT PAID FOR OUT OF TT FUNDS OR CAN
15 THERE BE A MIX OF FUNDING? THAT SEEMS TO BE WHAT THE CASE
16 IS HERE. OR IS IT ALL OF ONE BUCKET, NOT OF ONE BUCKET. I
17 DON'T KNOW THE ANSWER TO IT.

18 MR. BOLAND: I DON'T SEE HOW THE DESIGN BUCKET IMPACTS
19 THE TT BUCKET AT ALL BECAUSE IF IT'S AN APPROPRIATE
20 EXPENSE, NAMELY, A MATERIAL IMPROVEMENT TO THE SCHOOL, IT
21 SEEMS THAT IT'S AN APPROPRIATE EXPENSE. THIS WOULD BE
22 APPROPRIATELY TAKEN OUT OF TT, AND IT'S NICE THAT THEY GOT
23 MONEY OUT OF THE DEVELOPER.

24 MR. HOCUTT: AND I SEE NOTHING WRONG WITH DOING A
25 PROJECT WITH VARIOUS SETS OF FUNDS. I THINK THAT'S SMART.

1 MR. BOLAND: I DON'T SEE A PROBLEM WITH THAT EITHER.
2 BUT THE -- HOW DID YOU CALCULATE THE DESIGN FEES?

3 MR. HOCUTT: THEIR FEE STRUCTURE IS FOR THE FIRST
4 \$500,000 OF CONSTRUCTION COSTS, THE ARCHITECTS CHARGE 9
5 PERCENT. FOR THE NEXT \$500,000 THEY CHARGE 8 AND A HALF
6 PERCENT. WELL, I THINK THIS THING CAME UP TO -- I FORGET
7 WHAT THE TOTAL -- \$880,000. SO 500,000 THE FIRST TIME IS 9
8 PERCENT WHICH IS \$45,000, AND THAT LEAVES 380 TIMES 8 AND A
9 HALF PERCENT. IT JUST DOES NOT ADD UP TO THE NUMBER.

10 MR. BOLAND: I'M WITH HIM. YOU'RE WITHIN 5. IT'S
11 COOL.

12 MS. KENNE: THEY TALKED ABOUT ADDING 5 INEXPLICITLY
13 SOMEWHERE.

14 MR. HOCUTT: THEY DID?

15 MR. VITALE: THE STAFF ANALYSIS SAYS HERE THEY WILL
16 NOT EXCEED \$82,310 WITH AN ADDITIONAL REIMBURSIBLE
17 ALLOWANCE OF \$5,000 TO THE 77,310.92, AND THEY'VE GOT A NOT
18 TO EXCEED ON IT. THAT DOESN'T NECESSARILY MEAN IT'S GOING
19 TO GET SPENT IN THE FIRST PLACE. THEY'RE JUST GIVING
20 THEMSELVES A SLIDE WINDOW IN THE EVENT THAT SOMETHING COMES
21 UP. I THINK WE'RE ALMOST BEATING A DEAD HORSE HERE.

22 MR. HOCUTT: THAT'S WHY I THROW THIS OUT FOR
23 DISCUSSION.

24 MR. VITALE: I THINK SUBJECT TO THE CLARIFICATION
25 CONTAINED IN REPORT 1230-F, STAFF ANALYSIS, IF THEY ADHERE

1 TO THAT THEN I THINK THEY ARE GIVING US THE CUSHION THAT
2 WE'RE LOOKING FOR.

3 MR. HOCUTT: WHAT ABOUT THIS PART ABOUT ALL THOSE
4 EXTRA FEES THAT ARE ADDING UP TO THE CONSTRUCTION COST?

5 MR. VITALE: THAT'S A CONTRACTUAL ISSUE. IF THE
6 DISTRICT AT THIS POINT IN TIME, BECAUSE WE DON'T HAVE A
7 DISTRICT-WIDE STANDARD CONTRACT WHICH IS SOMETHING THAT
8 WILL HOPEFULLY FALL OUT OF THIS FOR THE NEXT BOND THAT THEY
9 WILL HAVE A DISTRICT STANDARD-TYPE CONTRACT TO GO BY OR FOR
10 PROJECTS IN THE FUTURE THEY'VE GOT ONE, THAT'S COOL. BUT
11 AT THE MOMENT IF THEY'RE WILLING TO ACCEPT THOSE TERMS AND
12 CONDITIONS AND THE DEFINITIONS GIVEN BY THE ARCHITECT, SO
13 BE IT. I DON'T FEEL COMFORTABLE ABOUT IT, BUT IF THAT'S
14 WHAT THEY'RE WILLING TO ACCEPT. AGAIN, WE'RE NOT TALKING
15 ABOUT A MILLION DOLLAR FEE GOING TO THE ARCHITECT. WE'RE
16 TALKING ABOUT CHUMP CHANGE IN TERMS OF WHAT'S HERE.

17 MR. HOCUTT: DO YOU REMEMBER WHAT EVERETT DIRKSEN SAID
18 IN THE UNITED STATES SENATE? A BILLION HERE --

19 MR. CATES: A BILLION THERE --

20 MR. HOCUTT: -- AFTER A WHILE IT ADDS UP TO REAL
21 MONEY.

22 MR. CATES: THAT'S WHEN A BILLION DOLLARS WAS
23 INCOMPREHENSIBLE TO MOST OF US. NOW WE'RE INTO A TRILLION.

24 MR. VITALE: THIS IS FUZZY MATH.

25 MR. HOCUTT: SO I THINK WHAT I'M HEARING IS THIS ONE

1 WE WOULD PROBABLY VOTE TO APPROVE.

2 MR. CATES: LET'S FIND OUT. I WILL ENTERTAIN A MOTION
3 FOR THE APPROVAL OF 1230-F.

4 MR. COLE: I'LL PUT THAT MOTION UP.

5 MR. CATES: SECOND?

6 ALL RIGHT.

7 ALL THOSE IN FAVOR OF APPROVAL? ALL THOSE
8 OPPOSED?

9 MS. RAHN: CALL OUT THE COUNT.

10 MR. CATES: WE HAVE FOUR OPPOSED SO THAT MEANS THAT
11 EIGHT ARE IN FAVOR SO THE MOTION CARRIES.

12 WHILE WE'RE AT IT, IS THERE ANY DISCUSSION OF
13 1228-F AND 1229-F WHERE THE RECOMMENDATION IS APPROVAL? IF
14 SO, I WOULD LIKE TO GET THEM APPROVED AND MOVE ON TO THE
15 BIGGY.

16 MR. HOCUTT: WE SHOULD THROW IN 1231. IT'S A SMALL
17 ONE. 1231 WAS TO REJECT THE BIDS THEY RECEIVED FOR
18 BUILDING D AT JOHN MUIR. THAT SEEMS REASONABLE SO WE
19 SHOULD APPROVE THAT.

20 MR. CATES: I WILL ENTERTAIN A MOTION FOR THE APPROVAL
21 OF 1228, 1229, AND 1231.

22 MR. HOCUTT: I SO MOVE.

23 MR. CATES: SECOND? ALL RIGHT.

24 ALL IN FAVOR? ALL OPPOSED? ZERO ABSTAIN.
25 APPROVED 12 TO ZERO.

1 MR. HOCUTT: THE NEXT ONE ON THE LIST IS 1232 WHICH IS
2 SEEKING APPROVAL TO SURPLUS THE BURBANK ELEMENTARY SCHOOL.
3 THAT IS REALLY OUTSIDE THE PURVIEW OF THIS COMMITTEE SO I
4 THINK WE SHOULD JUST MOVE ON PAST THAT.

5 THE BIG ONE, OF COURSE, IS 1203-F WHICH BASICALLY
6 IS THE NEW SPEND-OUT PLAN THAT MIGUEL HAS PRINTED OUT ON 11
7 X 14 PAPER FOR US. THE THOUGHT HERE WAS THAT NONE OF US
8 HAD REALLY HAD A CHANCE TO LOOK AT THIS THING, UNDERSTAND
9 IT, COMPREHEND IT. SO THE RECOMMENDATION WOULD BE THAT WE
10 JUST POSTPONE A DECISION ON THAT UNTIL THE COC HAS HAD A
11 CHANCE TO LOOK AT IT.

12 MR. CATES: I BELIEVE THE RECOMMENDATION IS NOT ONLY
13 THAT WE DEFER ACTION BUT THAT WE RECOMMEND THAT THE BOARD
14 DEFERS ACTION. THIS BOARD REPORT WAS PRODUCED ONLY TWO
15 DAYS AGO.

16 MR. BOLAND: I THINK --

17 MR. CATES: AND IT DEALS WITH THE EXPENDITURE OF OVER
18 \$118 MILLION.

19 MR. BOLAND: I THINK IT'S UNCONSCIONABLE TO GIVE IT TO
20 US TWO DAYS BEFORE AND ASK US TO COMMENT ON IT. IT'S
21 EVERYTHING. IT'S THE WHOLE BALL OF WAX, YOU KNOW. SO
22 THERE'S A MONTH IN BETWEEN MEETINGS AND WE GET IT TWO DAYS.
23 THAT'S -- I DON'T FIND THAT TO BE --

24 MR. HOCUTT: JUST MAYBE --

25 MR. BOLAND: THAT'S NOT A RESPECTFUL THING. IT'S NOT

1 RESPECTFUL TREATMENT.

2 MR. HOCUTT: PROBABLY A QUICK GENERAL COMMENT IF I
3 MAY. I DID TAKE A QUICK LOOK AT THIS THING THIS AFTERNOON,
4 AND IT DOES APPEAR THAT THESE PRIORITIES -- THERE HAVE BEEN
5 SEVERAL SPEND-OUT PLANS PROPOSED. I THINK THIS IS THE
6 SIXTH OR SEVENTH. BUT THE BIG ONE WAS LIKE IN JUNE, BUT I
7 COMPARED IT TO WHAT WE HAD BEFORE, AND ALMOST EVERY
8 PRIORITY ON HERE HAS CHANGED. A LOT OF THE NUMBERS FOR THE
9 PROJECT COST HAVE CHANGED. THERE ARE NEW PROJECTS IN HERE
10 THAT HAVE BEEN ADDED IN THAT WERE NOT IN THE PREVIOUS
11 SPEND-OUT LIST.

12 MR. BOLAND: THIS IS WHERE I THINK IT WOULD BE HELPFUL
13 AND VERY HELPFUL BECAUSE WHEN I MET WITH NELSON PRIOR TO MY
14 FIRST MEETING, HE SHOWED ME A VERSION OF THIS SPEND-OUT
15 PLAN, AND HE SAID WHAT HE'S TRYING TO DO IS PRIORITIZE THE
16 TOP PROJECTS THAT CAN GET DONE AND THEN THE REST HAVE TO
17 GET PUT ON HOLD PENDING FURTHER FUNDING. I LIKED A LOT OF
18 WHAT HE HAD TO SAY. HE WANTS TO PUT THE MONEY INTO THE
19 NON-SEXY AREA -- THE MECHANICAL, ELECTRICAL, THE AIR
20 CONDITIONING. I THINK HIS HEART IS IN THE RIGHT PLACE, AND
21 I THINK HIS EFFORTS ARE IN THE RIGHT PLACE. WE'VE GOT TO
22 PLAY THE GAME A LITTLE BIT. YOU GOT TO TREAT US RIGHT SO
23 WE CAN LOOK AT IT AND TWO DAYS ISN'T MUCH TIME.

24 MR. PEREZ: I WOULD LIKE TO COMMENT THAT THE SPEND-OUT
25 PLAN IS A LIVING THING. IT HAS CHANGED. AND I BELIEVE,

1 KIM, CORRECT ME IF I'M WRONG, THAT IT WAS SUBMITTED FIRST
2 IN APRIL, WASN'T IT?

3 MS. KENNE: THERE WAS A BOARD STUDY SESSION WHERE
4 THERE WAS A BIG -- ACTUALLY, I HAVE IT SOMEWHERE HERE.
5 WHERE THERE WAS A BIG PRESENTATION AS WELL AS THE FIRST
6 VERSION OF THIS. SO THE BOARD WAS SEEING IT FOR THE FIRST
7 TIME SO I DON'T KNOW THAT WE HAD A SUBSTANTIVE CONVERSATION
8 ABOUT WHAT WAS ON IT. COMMENTS WERE SOLICITED FROM THE
9 BOARD INDIVIDUALLY TO BE EMAILED TO NELSON. SO IT HAS NOT
10 BEEN PUBLICLY DISCUSSED BY OUR BOARD OR BY THE FACILITIES
11 COMMITTEE SINCE APRIL. SO IT IS COMING TO US FOR APPROVAL
12 TOMORROW NIGHT AND THAT WILL POTENTIALLY BE THE FIRST TIME
13 THE BOARD HAS DISCUSSED IT IN PUBLIC. AND WHAT I'LL SAY --

14 MR. BOLAND: SO YOU'RE PREPARED TO APPROVE IT
15 PROPERLY?

16 MS. KENNE: AM I? WHAT I'LL SAY IS THAT -- SO THROUGH
17 NO. 9 -- I KNOW THEY'RE HERE TO PRIORITIZE -- BUT UP TO NO.
18 9, WHICH YOU HAVE A LOT OF A'S AND B'S, THOSE ARE GOING
19 FORWARD NO MATTER WHAT. SO WHAT WE ARE REALLY LOOKING AT
20 IS THE THINGS ON PAGE 3 IN THE MIDDLE WHERE IT SAYS
21 "PROPOSED PROJECTS," AND THEN IT'S GOT -- THAT'S NO. 10
22 THROUGH 15, AND THEN IT'S GOT A MORATORIUM ON FROM 16 TO
23 THE END. IF YOU GO PAST -- IF YOU INCLUDE EVERYTHING UP TO
24 NO. 9 -- AND I HAVE A BUDGET I WAS GOING TO PASS OUT DURING
25 MY REPORT -- THERE'S ONLY 20 MILLION LEFT TOTAL FROM THE

1 350 LEFT BY THE TIME YOU GET DOWN TO NO. 10.

2 WHAT I HAD ASKED A COUPLE TIMES IS FOR THE
3 CRITERIA. YOU SEE ON THE VERY FIRST PAGE AT THE TOP IT
4 SAYS ACCESSES UNDER NO. 1; FIRE LIFE AND SAFETY IS NO. 2; 3
5 IS CLASSROOM NEEDS. YOU CAN SEE THAT THE PROJECTS MOVING
6 FORWARD HAVE PRIORITIES, AND THE ITEMS 10 THROUGH 15 DO,
7 BUT ONCE YOU GET DOWN AFTER NO. 16 UNDER THE THINGS THAT
8 WE'RE PUTTING A MORATORIUM ON ARE LABELED WITH THEIR
9 CRITERIA. SO IT'S HARD FOR ME TO KNOW THAT IT'S A
10 PURPORTED MORATORIUM ON THE RIGHT THINGS BECAUSE MAYBE SOME
11 OF THESE ARE FIRE, LIFE, AND SAFETY, AND I WOULD RATHER
12 MOVE SOMETHING FROM THE MORATORIUM UP.

13 WHAT I HAVE ASKED FOR FROM THE BEGINNING IS WE
14 PROMISED PEOPLE IN 2012 WE WOULD DO A LIST OF PROJECTS. IF
15 WE'RE NOW SAYING SOME OF THEM WILL NOT GET DOWN, I FEEL
16 LIKE WE HAVE TO BE REALLY CLEAR WE MADE THIS PROMISE AND
17 NOW IT'S ON THE MORATORIUM LIST, AND I'M NOT CONVINCED THAT
18 EVERYTHING THAT WE ONCE UPON A TIME SAID HAS BEEN LISTED
19 UNDER THE MORATORIUM SO EVERYONE IS REALLY CLEAR WE'RE NOT
20 DOING THAT. REMEMBER WHEN WE SAID IT, AND NOW WE'RE NOT.
21 WE HAVE TO BE REALLY CLEAR. WE DON'T HAVE TO DO EVERYTHING
22 WE SAID, BUT WE HAVE TO TELL YOU THAT WE CHANGED OUR MINDS
23 OR THE CIRCUMSTANCES HAVE CHANGED. THAT'S JUST ONE BOARD
24 MEMBER'S OPINION OF THIS LIST.

25 MR. PEREZ: SO THIS IS SOMETHING THAT HAS BEEN GOING

1 ON, AND AS I SAID, IT'S A LIVING THING. IT HAS CHANGES,
2 AND IT'S NOT THE FIRST TIME THE COC SEES THIS SPEND-OUT
3 PLAN THAT YOU HAVE CALLED IT. I WOULD LIKE TO CLARIFY THAT
4 THIS IS NOT TWO DAYS AGO OR TWO HOURS. NO. IT HAS BEEN
5 GOING ON, AND WE HAVE RECEIVED COMMENTS, AND THERE HAS BEEN
6 SOME MODIFICATIONS.

7 MR. CATES: BUT WE HAVEN'T SEEN THIS BUT FOR 48 HOURS.

8 MR. PEREZ: THIS ONE, BUT I HAVE COMMENTS FROM QUINCY
9 ABOUT THE SPEND-OUT PLAN.

10 MR. BOLAND: YOU'RE SAYING THIS PARTICULAR THING IS A
11 RESULT OF ALL THOSE COMMENTS?

12 MR. PEREZ: YES.

13 AM I CORRECT, QUINCY?

14 MR. HOCUTT: THAT I HAVE MADE COMMENTS ON THE
15 SPEND-OUT PLAN? THAT IS CORRECT.

16 MR. PEREZ: NO. HAVE YOU MENTIONED THE SPEND-OUT PLAN
17 BEFORE OR THIS IS THE FIRST TIME YOU SEE? NOT THIS ONE.

18 MR. HOCUTT: I DON'T UNDERSTAND THE DISTINCTION. THIS
19 IS THE FIRST TIME WE'VE SEEN THIS ONE, AND IT'S DRASTICALLY
20 DIFFERENT THAN ANY OTHER PLAN WE'VE SEEN.

21 MR. CATES: AND THIS IS THE ONE YOU'RE ASKING THE
22 BOARD TO APPROVE; RIGHT? THE FACT THAT THERE HAVE BEEN
23 PRIOR ITERATIONS IS HISTORICALLY INTERESTING, BUT IT'S NOT
24 RELEVANT BECAUSE THIS IS WHAT YOU'RE ASKING THE COMMITTEE
25 OR THE BOARD OR BOTH TO APPROVE.

1 MR. VITALE: EXCEPT THAT HE'S SAYING THAT THIS IS
2 BASED ON ALL THE COMMENTS, IF I UNDERSTAND CORRECTLY,
3 RECEIVED TO DATE FROM QUINCY OR WHOEVER ELSE MAY HAVE
4 COMMENTED ON PREVIOUSLY SUBMITTED PLANS; IS THAT CORRECT?

5 MR. BOLAND: THAT MIGHT BE TRUE, BUT WE STILL ONLY HAD
6 TWO DAYS.

7 MR. CATES: WE CAN'T VERIFY THAT.

8 MR. VITALE: UNDERSTOOD.

9 MR. CATES: KIM, HOW LONG HAS THE BOARD HAD THIS?

10 MS. KENNE: I BELIEVE WE HAVE RECEIVED ITERATIONS, BUT
11 I BELIEVE THIS WAS EMAILED ON EITHER MONDAY OR TUESDAY. I
12 GOT MY HARD COPY YESTERDAY BECAUSE I CAN'T DO THIS KIND OF
13 THING IN EMAIL. BUT WE DID ACTUALLY GET A SMALL VERSION ON
14 SMALL PAPER.

15 MR. CATES: YOU, MEANING YOU AND THE BOARD MEMBERS,
16 HAVE HAD THIS FOR THE SAME TIME THAT WE HAVE.

17 MS. KENNE: I HAVEN'T PUT MY TIME INTO IT YET, AND I'M
18 SAVING TOMORROW FOR THAT. BECAUSE I DO WANT TO GO BACK TO
19 PROJECTS. WE TALKED ABOUT FRANKLIN HERE I THINK ONCE, AND
20 FRANKLIN IS NOW IN THE MORATORIUM, BUT I KIND OF THOUGHT IT
21 WAS A SAFETY ISSUE AND MADISON WAS A SAFETY ISSUE, BUT
22 THEY'RE IN THE MORATORIUM SO I WANT TO MAKE MY PERSONAL
23 THING TO GO TO THE MEETING TOMORROW. AND I'M CONFUSED.
24 THERE ARE SOME FIRE, LIFE, AND SAFETY, AND I KNOW THEY WANT
25 THAT PHS POOL, BUT I JUST DON'T KNOW HOW TO SAY SORRY THOSE

1 KIDS WON'T BE SAFE AT THAT SCHOOL OVER THERE BECAUSE WE
2 HAVE TO DO THE POOL, BUT IT STILL MAY PASS.

3 MS. RAHN: REMEMBER WHEN WE HAD THAT FOUR POINT
4 CRITERIA WE CREATED ON THE FACILITIES COMMITTEE WHICH WAS
5 SAFETY --

6 MR. COLE: THAT KIND OF JUST WENT AWAY.

7 MS. RAHN: THAT'S TOO BAD. WE HAD A CRITERIA. NOW
8 THAT I THINK ABOUT IT, IT WAS GOOD. REMEMBER KITCHENS WE
9 HAD TO DO?

10 MR. COLE: RIGHT.

11 MS. RAHN: THAT MOVED EVERYTHING UP.

12 MR. COLE: I MIGHT HAVE A COPY OF IT SOMEWHERE.

13 MS. RAHN: I FEEL BAD, MIGUEL, THAT YOU WALKED INTO
14 THIS, BUT IN GENERAL THIS IS NOT A GREAT PROCESS. SO
15 THERE'S NO WAY AT THIS POINT THAT THE BOARD CAN MAKE A GOOD
16 DECISION, AND THAT'S JUST THE REALITY. SO THEY CAN MAKE
17 MAYBE THE BEST GUT DECISION AND THEN DEAL WITH THE LITTLE
18 PERCENTAGE WHERE IT REALLY WENT WRONG, BUT YOU DON'T HAVE
19 ENOUGH INFORMATION TO MAKE THIS DECISION, AND I WOULDN'T
20 WANT TO BE A BOARD MEMBER RIGHT NOW.

21 MS. CROSS: PROBABLY NOT BECAUSE I THINK A LOT OF THE
22 PROBLEMS THAT WE RUN INTO IS THAT WHEN YOU'RE A BOARD
23 MEMBER, YOU'RE TRYING TO DO YOUR JOB AND THEN WEIGH PUBLIC
24 PERCEPTION ALONG WITH THE DECISIONS YOU'RE MAKING, AND THE
25 PUBLIC PERCEPTION IS ALL ABOUT -- FORGIVE THE TERM -- THE

1 SEXY ITEMS THAT WE CAN SPEND MONEY ON TO MAKE EVERYTHING
2 SPLASHY ON CAMPUSES. WHAT LOOKS NICE. WHAT IS THE BEST
3 EXTERIOR. THAT'S THE FACADE OF THE CAMPUS. WHEN IN
4 REALITY THE FACILITIES HEAD, WHOEVER THAT MAY BE, IS RIGHT
5 LOOKING AT MECHANICAL, AIR, PLUMBING, HEALTH AND SAFETY,
6 FIRE ISSUES, AND FROM A CONSTRUCTION STANDPOINT, I MEAN IT
7 SEEMS LIKE THAT'S WHERE THE MONEY SHOULD BE SPENT, BUT
8 THAT'S NOT WHERE PEOPLE ARE GOING TO BE SEEING THE VALUE.

9 MS. RAHN: BUT TO BE HONEST, WHO IS NOT DOING THEIR
10 JOB IS THE FACILITIES COMMITTEE. BECAUSE THE FACILITIES
11 COMMITTEE IS SUPPOSED TO LOOK AT ALL OF THIS, TAKE IN
12 INFORMATION FROM STAFF AND THE PUBLIC, HELP PRIORITIZE IT
13 AND MAKE RECOMMENDATIONS TO THE BOARD. IN A GOOD COMMITTEE
14 STRUCTURE, NOTHING MAKES IT TO THE BOARD UNTIL IT HAS BEEN
15 COMPLETELY VETTED BY THE COMMITTEE, AND, QUITE FRANKLY,
16 THAT'S THE ISSUE WE HAVE NOW. WE DON'T HAVE THAT.

17 MR. BOLAND: THAT WOULD SAVE NELSON A LITTLE HEARTACHE
18 TOO. HE'S BEEN ALONE OUT THERE DOING HIS THING.

19 MS. RAHN: ABSOLUTELY. THE COMMITTEE NEEDS TO DO ITS
20 JOB.

21 MR. BOLAND: IT ALL SEEMS A LITTLE SLOPPY. WE KEEP
22 ASKING WHO IS IN CHARGE OF THIS. THAT'S BASICALLY A
23 QUESTION WE KEEP ASKING IS WHO IS IN CHARGE OF THIS. SO
24 THERE'S A GOOD ANSWER. YOU HAVE A FACILITY SUBCOMMITTEE --
25 RIGHT -- THAT'S SUPPOSED TO BE LOOKING AT ALL OF THIS. WHO

1 ARE THOSE PEOPLE?

2 MR. VITALE: IS THAT STEVEN?

3 MR. COLE: NO. I GO TO THE FACILITIES, TO THE BOARD
4 FACILITIES.

5 MS. RAHN: HE'S OUR LIAISON.

6 MR. VITALE: HE'S OUR LIAISON. ALL RIGHT.

7 MR. COLE: DON'T FRAME ME FOR THAT PART.

8 MS. RAHN: WHY I WAS BRINGING THAT UP, I USED TO BE ON
9 FACILITIES. SHE'S NEW TO IT, AND IT WAS A FIGHT TO GET HER
10 APPOINTED.

11 MS. KENNE: AND SO IS MICHELLE BAILEY WHO IS NEW TO
12 THE BOARD SINCE MAY AND NEW TO FACILITIES. SO WE HAVE TWO
13 NEW PEOPLE, AND OUR BOARD PRESIDENT IS THE CHAIR OF THE
14 FACILITIES COMMITTEE.

15 MR. BOLAND: BUT I MEAN THERE'S A LOT OF PEOPLE OUT
16 HUNTING NELSON'S HEAD THESE DAYS. THOSE GUYS WERE ALL
17 HUNTING, AND, YOU KNOW, SO YOU MIGHT APPRECIATE THE HELP IF
18 THE COMMITTEE STEPPED UP A LITTLE BIT MORE.

19 MR. VITALE: THIS GOES BACK TO WHAT I SAID DURING THE
20 FIRST MEETING. IT'S LONG OVERDUE AND SHOULD HAPPEN
21 IMMEDIATELY, IF NOT SOONER, AND THAT IS A COLLABORATIVE
22 SESSION BETWEEN US, BETWEEN NELSON'S GROUP, AND BETWEEN THE
23 FACILITIES SUBCOMMITTEE SO THAT WE ALL COME TO AN AGREEMENT
24 THAT WE'RE ON THE SAME PAGE AND WE ARE NOT DOING THIS ANY
25 LONGER.

1 MR. BOLAND: IT SHOULD COME DOWN TO A CERTAIN PROCESS
2 FOR HIM TO FEED US THE INFO WE NEED TO DO OUR JOB.

3 MR. CATES: WE'VE BEEN ASKING AND WE'VE GOTTEN NO
4 WHERE. YOU'RE RIGHT. A BIG PROBLEM IS THE FACILITIES
5 COMMITTEE, BUT THE HEAD OF THE FACILITIES COMMITTEE IS THE
6 PRESIDENT OF THE BOARD WHO IGNORES EVERYTHING WE SEND HIM.
7 AND HOW MANY MEETINGS HAS HE MISSED OF THE FACILITIES
8 COMMITTEE?

9 MR. COLE: ROY HASN'T MISSED ANY.

10 MS. KENNE: HE HASN'T MISSED ANY SINCE I'VE BEEN ON
11 THEM. THEY'RE SUPPOSED TO BE SHORT. THEY'RE AN HOUR
12 BEFORE THE BOARD MEETING OR AN HOUR AND A HALF BEFORE THE
13 BOARD MEETING.

14 MR. HOCUTT: HOW CAN YOU PROPERLY VET SOMETHING LIKE
15 THIS IN AN HOUR? BY THE WAY, I HAVE TO ADD THIS JUST
16 BECAUSE I THINK IT'S HUMOROUS. I WAS LOOKING AT THE
17 MINUTES FOR THE FACILITIES COMMITTEE JUST TO SEE WHAT
18 THEY'VE DONE AND WHAT THEY'VE SAID. NOW, THEY'RE TWO
19 MONTHS BEHIND, BUT FOR THE TWO MONTHS THEY JUST CAUGHT UP,
20 IT WAS PLAINLY POINTED OUT THAT ONE OF THE MEETINGS LASTED
21 TEN MINUTES.

22 MS. RAHN: THEY'RE JUST NOT DOING THEIR JOB. I DON'T
23 HAVE ANY PROBLEM SAYING THAT.

24 MR. HOCUTT: THE MEETING LASTED TEN MINUTES. COULD
25 YOU READ THIS IN TEN MINUTES?

1 MR. BOLAND: NO. YEAH, BUT I COULDN'T UNDERSTAND IT.

2 MR. CATES: THERE IS SOMETHING THAT THE BOARD COULD
3 DO, AND THAT IS NOT TO APPROVE ANYTHING THAT HAS NOT BEEN
4 ADEQUATELY VETTED BY THE FACILITIES COMMITTEE.

5 MS. RAHN: BUT THEY'RE ASSUMING IT HAS. WE'RE BACK TO
6 POLITICS. THERE'S THREE PEOPLE ON THE COMMITTEE. THERE'S
7 AN ASSUMPTION THEY HAVE.

8 MR. HOCUTT: YOU USED THE "A" WORD. YOU KNOW WHAT
9 ASSUME MEANS.

10 MS. RAHN: BUT, AGAIN, IN POLITICS THEY HAVE TO
11 TRUST -- I'LL USE THE WORD TRUST -- THEIR FELLOW BOARD
12 MEMBERS ON THAT COMMITTEE ARE DOING THEIR JOB, AND THEN IT
13 MAKES IT TO THE AGENDA.

14 MR. HOCUTT: HOW MANY TIMES DOES IT HAVE TO FAIL
15 BEFORE YOU NO LONGER TRUST IT?

16 MS. RAHN: IT HASN'T FAILED YET. THIS IS WHAT I KEEP
17 TELLING YOU. IT HAS NOT FAILED YET. IT'S ONLY IN THIS
18 ROOM.

19 MR. HOCUTT: WERE YOU WATCHING WHAT THESE GUYS WERE
20 SAYING?

21 MS. KENNE: IT FAILS FOR ME, AND I HAVE PULLED THEM
22 FROM CONSENT. IT DOESN'T CHANGE THE VOTE OF THE REST OF
23 THE BOARD THOUGH.

24 MR. CATES: QUINCY QUOTED ERIC DIRKSEN, A BILLION
25 HERE, A BILLION THERE. LET ME QUOTE RONALD REAGAN. TRUST

1 BUT VERIFY. THERE'S NO ERRORFICATION, AND AS FAR AS I CAN
2 TELL, THERE'S NO BASIS FOR THE TRUST.

3 MS. KENNE: SO YOU GUYS ARE GOING TO VOTE ON YOUR
4 RECOMMENDATION ON THIS BECAUSE WE WANT TO GO HOME TONIGHT.

5 MR. CATES: THE RECOMMENDATION IS DOWN THERE IN GREEN
6 THAT WE RECOMMEND THAT CONSIDERATION BY THE BOARD BE
7 POSTPONED UNTIL THE COC HAS HAD AN ADEQUATE OPPORTUNITY TO
8 REVIEW THIS PLAN WHICH INVOLVES THE EXPENDITURE OF OVER
9 \$118 MILLION.

10 I'LL ENTERTAIN A MOTION FOR -- A MOTION THAT WE
11 RECOMMEND POSTPONEMENT OF CONSIDERATION.

12 MS. WANG: I'LL SECOND IT.

13 MR. CATES: ALL THOSE IN FAVOR? OPPOSE? ABSTAIN?

14 CARRIED 12 TO ZERO.

15 MR. HOCUTT: CAN I MAKE ONE QUICK COMMENT? WE TALK
16 ABOUT COLLABORATION AND WORKING TOGETHER. JUST A
17 SUGGESTION. FACILITIES HAS AT ITS DISPOSAL 15 PEOPLE THAT
18 SIT AROUND AND MEET ONCE A MONTH. WE'D BE MORE THAN HAPPY
19 TO GIVE THEM INPUT MORE OFTEN THAN THAT IF THEY WOULD
20 SIMPLY ASK. IT'S OPINIONS, BUT I THINK IT WOULD BE USEFUL.
21 I THINK IT WOULD HELP THE FACILITIES COMMITTEE. THEY HAVE
22 15 PEOPLE WHO REALLY CARE AND ARE WILLING TO SPEND MORE
23 THAN AN HOUR IN A MEETING TO ACTUALLY LOOK AT SOMETHING AND
24 MAKE COMMENTS ABOUT IT. YOU DON'T HAVE TO LISTEN TO THEM,
25 BUT WE'RE NEVER ASKED. WOULDN'T THAT BE PART OF THE

1 COLLABORATION?

2 MR. CATES: YEAH, BUT DREAM ON. THEY DON'T WANT OUR
3 INPUT.

4 MR. HOCUTT: WELL, LET'S ASSUME THAT THEY DO.

5 MR. CATES: WHY? EVERYTHING THAT HAS HAPPENED
6 DEMONSTRATES THAT THEY DON'T. THEY RESENT IT. AND I
7 UNDERSTAND WHY BECAUSE WE'RE LOOKING OVER THEIR SHOULDERS
8 AND PICKING AT EVERYTHING, BUT THAT'S OUR JOB. BUT YOU
9 KNOW, YES, WE SHOULD ALL HOLD HANDS AND GET ALONG.

10 MS. RAHN: CAN I RECOMMEND AT THE NEXT MEETING THAT WE
11 TRY TO NOMINATE A PARLIAMENTARIAN OF SOME KIND? BECAUSE I
12 HAVE TO DRIVE TO L.A. AT 6:00 A.M. EVERY MORNING, AND I
13 CAN'T STAY OUT PAST 9:00. IT JUST DOESN'T WORK FOR MY
14 DAUGHTER. WE HAVE TO FIGURE OUT HOW TO KEEP THESE AGENDAS
15 A LITTLE BETTER WITH TIME ON IT.

16 MR. CATES: I CAN DO THAT, BUT I HAVE RAISED THIS
17 ISSUE TWICE NOW WITHIN THE PAST THREE MONTHS AND THE
18 OVERWHELMING MAJORITY OF PEOPLE WANT TO KEEP GOING FOR AS
19 LONG AS IT TAKES. I CAN KEEP THIS TO AN HOUR, BUT NOBODY
20 IS GOING TO BE HAPPY.

21 MS. RAHN: I MEAN THE AGENDA ITEMS SHOULD HAVE
22 TENTATIVE TIMES.

23 MR. BOLAND: I THINK YOU SHOULD TRY TO KEEP IT TO AN
24 HOUR.

25 MS. CROSS: I THINK SO. JUST TRY IT.

1 MS. RAHN: THAT'S WHY I THINK WE NEED A
2 PARLIAMENTARIAN BECAUSE I THINK YOU HAVE SO MUCH INPUT TO
3 IT THAT WE WOULD HAVE SOMEONE ELSE TIME KEEP IT.

4 MR. CATES: THE BYLAWS DO NOT PROVIDE FOR A
5 PARLIAMENTARIAN.

6 MS. RAHN: CAN WE JUST SAY WE NEED A TIME KEEPER?

7 MR. VITALE: I UNDERSTAND THAT WE DID HAVE A DELAY AT
8 THE BEGINNING OF THE MEETING THAT I DON'T THINK WAS
9 NECESSARILY ANTICIPATED.

10 MS. RAHN: WE ALWAYS HAVE THAT.

11 MR. VITALE: YEAH, BUT WE HAD A CONSIDERABLE AMOUNT OF
12 TIME TAKEN UP, RIGHTFULLY SO, BY THESE INDIVIDUALS AND
13 THAT'S CUT INTO TIME WE MIGHT HAVE OTHERWISE HAVE BEEN
14 WORKING ON THIS.

15 MR. CATES: AND I THINK, QUITE FRANKLY, THAT'S VERY
16 GOOD FOR PUBLIC RELATIONS.

17 MS. RAHN: IT WAS GREAT.

18 MR. CATES: LOOK, I WOULD LIKE TO WRAP THIS UP AS FAST
19 AS WE CAN.

20 REPORT BY CHIEF OF FACILITIES. HE'S NOT HERE.

21 DO YOU HAVE A REPORT, MIGUEL?

22 MR. PEREZ: YES. IN THE HANDOUT THERE'S A LEGAL-SIZED
23 SHEET WHICH IS BENDED AT THE TOP. THAT'S THE CONSTRUCTION
24 STATUS REPORT. AT PREVIOUS MEETINGS WE HAVE BEEN ASKED TO
25 PRODUCE THIS TYPE OF REPORT, AND ONE OF THE DECISIONS WAS

1 TO TRY TO MAKE IT IN ONE SHEET. SO WE INCLUDED ALL THE
2 ITEMS THAT YOU HAVE REQUESTED.

3 MS. RAHN: MIGUEL, CAN I ASK YOU A QUESTION? THIS IS
4 ALL THE PROJECTS THAT ARE ONGOING?

5 MR. PEREZ: YES. CONSTRUCTION STATUS REPORT.

6 MS. RAHN: WHY IN THE PUBLIC COMMENT WERE THEY SAYING
7 THAT GUY WAS ON TEN PROJECTS?

8 MS. CROSS: HE WAS QUOTING SOMETHING FROM MARCH.

9 MS. RAHN: THIS ISN'T ALL THE PROJECTS? THESE ARE THE
10 PROJECTS THAT ARE IN CONSTRUCTION? THAT'S DIFFERENT THAN
11 ACTIVE PROJECTS.

12 MR. PEREZ: IF YOU READ IN THE UPPER LEFT, IT SAYS
13 "CONSTRUCTION STATUS REPORT," AND IF YOU LOOK AT -- YOU CAN
14 READ, BUT AS THEY SAID, A PICTURE IS MORE THAN A THOUSAND
15 WORDS. I WILL GO RATHER FAST.

16 (SLIDE SHOW PLAYED.)

17 MR. COLE: CAN I ASK A QUICK QUESTION ON THE POOL?

18 MR. PEREZ: YES.

19 MR. COLE: HOW LONG UNTIL IT GETS REFILLED?

20 MR. PEREZ: I CAN'T TELL YOU THAT.

21 MS. CROSS: I TALKED TO THE COACH TODAY, AND HE SAID
22 POSSIBLY NEXT WEEK.

23 MR. COLE: OKAY. GOOD.

24 MR. PEREZ: I AM ATTENDING THE CONSTRUCTION MEETINGS,
25 BUT IT HAPPENS THAT THEY ARE ON TUESDAY. FOR INSTANCE,

1 THERE ARE FOUR OF THEM AT THE SAME TIME.

2 MR. COLE: THAT'S FINE.

3 MR. PEREZ: THE PREVIOUS TWO IS 99 PERCENT. WE ARE ON
4 THE PUNCH LIST ITEMS SO YOU WILL SEE THINGS ALMOST DONE.
5 THIS IS THE INSTALLATION OF FIRE ALARM AND EMS SYSTEM.
6 AUDITORIUM. THE GYM FLOOR BEING SANDED. WHAT YOU SEE HERE
7 IS THE SANDING MACHINE. THIS IS WASHINGTON.

8 MS. KENNE: QUESTION ON WASHINGTON. IT SAYS,
9 "EXPECTED DATE OF COMPLETION OF THE TOTAL PROJECT," AND IT
10 SAYS "NA."

11 MR. PEREZ: NOT AVAILABLE.

12 MS. KENNE: SO WE'RE NOT GOING TO COMPLETE THE
13 PROJECT?

14 MR. PEREZ: IT'S NOT AVAILABLE. WE DON'T HAVE IT
15 RIGHT NOW.

16 MS. KENNE: WE'VE BEEN WORKING ON IT FOR TWO YEARS.

17 MS. CROSS: IT SOUNDS LIKE THEY'RE HAVING A LOT OF
18 PROBLEMS.

19 MR. PEREZ: EXCUSE ME. WE CAN DISCUSS A LOT OF THIS,
20 BUT THAT'S WHAT I ASK, AND THEY DON'T KNOW. WITH ALL THE
21 SITUATION GOING ON, THEY DON'T KNOW.

22 MS. KENNE: I FEEL LIKE THEY NEED TO PICK ONE. THEY
23 NEED TO PICK WORST CASE. IT'S HARD TO HOLD PEOPLE
24 ACCOUNTABLE TO NA.

25 MS. CROSS: LOOK AT ALL THE PROBLEMS THE CONTRACTORS

1 ARE HAVING.

2 MS. KENNE: I EXPECTED ACTUALLY TO HAVE THE ORIGINAL
3 ONE STILL HERE SO THAT WE COULD SEE HOW FAR BEHIND IT WAS.
4 THAT'S WHY HAVING THIS HERE IS FOR US TO SAY, LOOK, IT WAS
5 SUPPOSED TO BE DONE TWO YEARS AGO. WHAT IS GOING ON. BUT
6 IF YOU DON'T PUT ANYTHING OR KEEP CHANGING IT EVERY TIME
7 THERE'S A DELAY, IT WILL BE VERY HARD FOR ANYONE, BUT
8 THAT'S JUST ME.

9 MR. PEREZ: OKAY.

10 MS. CROSS: MAYBE THAT IS AN ACTION ITEM FOR
11 FACILITIES IS JUST TO SAY FOR THE NEXT MEETING MAYBE THAT
12 NA WILL HAVE A DATE.

13 MR. PEREZ: I CAN ASK.

14 MR. VITALE: DO ALL OF THESE HAVE THAT SAME INSPECTOR
15 ON THEM?

16 MR. PEREZ: NO. THEY'RE DIFFERENT INSPECTORS.

17 MR. VITALE: FOR EACH ONE?

18 MR. PEREZ: I HAVE THE LIST SHOWING THE INSPECTOR FOR
19 EACH PROJECT, AND I CAN PROVIDE IT TO YOU.

20 MR. VITALE: PLEASE.

21 MR. PEREZ: THIS IS THE MULTI-PURPOSE ROOM. I WENT
22 TWICE, AND FIRST WEEK THEY WERE FORMING THAT -- THIS IS THE
23 PERIMETER SLAB. I MENTION IT BECAUSE -- THIS ONE BUILDING
24 HERE AND THE OTHERS, AND THIS IS THE RAMP CONNECTING BOTH
25 BUILDINGS. PHS. I WOULD LIKE TO MENTION AT PHS THEY FOUND

1 PROBLEMS WITH THE COLUMNS, AND IT HAS GENERATED DIFFERENT
2 CHANGE ORDERS, AND THEY'RE WORKING ON THAT.

3 THIS IS NORMA COOMBS. FREQUENTLY WE RECEIVE
4 QUESTIONS ABOUT NORMA COOMBS. IN THE PREVIOUS PRESENTATION
5 WE HAD THE ABATEMENT. IT WAS COVERED AND ONCE THE
6 HAZARDOUS MATERIALS ARE ABATED AND REMOVED AND THEN WE CAN
7 PROCEED TO THE DEMOLITION.

8 MS. CROSS: WHAT COLUMNS?

9 MR. PEREZ: SOME OF THEM ON THE GROUND.

10 MS. CROSS: AT PHS?

11 MR. PEREZ: YES. A LOT OF THEM.

12 AND PART OF THE -- WE HAD TO RELOCATE SOME OF THE
13 CLASSROOMS THAT WERE DEMOLISHED. THESE ARE THE NEW
14 PORTABLES THAT WE INSTALL READY FOR USE. THAT'S IT. FIVE
15 MINUTES.

16 MR. CATES: THANK YOU.

17 COC WEBSITE. I'LL KEEP THIS TO TEN SECONDS.
18 PLEASE CHECK IT FROM TIME TO TIME BETWEEN MEETINGS AND
19 ESPECIALLY A DAY OR TWO OR THREE BEFORE MEETINGS. WE'RE
20 POSTING LOTS OF STUFF ON THERE.

21 ITEM IV-F, SUBCOMMITTEES. IN THE INTERESTS OF
22 BRINGING THIS INTERMINABLE MEETING TO TERMINATION, I
23 PROPOSE THAT WE DEFER THIS TO NEXT TIME WITH ONE JUST
24 COMMENT. WE NEED HELP ON PUBLIC OUTREACH. NOW, DIANA
25 ISN'T HERE. JOELLE, WHO I HOPE WILL BE PARTICIPATING,

1 ISN'T HERE, BUT ONE OF THE THINGS WE REALLY NEED TO DO IS
2 GET OUR MESSAGE OUT TO THE PUBLIC AND, THEREFORE, THIS
3 SUBCOMMITTEE IS IMPORTANT. ANYONE WHO WANTS TO VOLUNTEER
4 WOULD BE WELCOME WITH OPEN ARMS.

5 IV-G. KIM --

6 MS. RAHN: KIM HAS THE REPORT.

7 MR. CATES: THE REPORT OF OUR BOARD LIAISON.

8 MS. KENNE: I WANTED TO THANK THE COC FOR ITS DILIGENT
9 EFFORTS TO GET A CONSTRUCTION STATUS REPORT AND REALLY I
10 THINK A PROJECT STATUS REPORT. I SEE THAT THIS IS JUST
11 CONSTRUCTION, BUT I THINK WE CARE ABOUT IF THINGS ARE IN
12 DESIGN, IF THEY'VE GONE TO DSA, IF THEY'VE BEEN DELAYED IN
13 DSA OR NOT. BUT I JUST WANT TO THANK THE COC FOR BEING
14 VERY PERSISTENT IN REQUESTING THAT REPORT BECAUSE I CAN'T
15 FIND -- AT LEAST THE FACILITIES COMMITTEE IN THE RECENT
16 PAST HAS BEEN LOOKING AT SUCH A REPORT OR A BUDGET REPORT.
17 SO YOU GUYS ASKING FOR THOSE THINGS. SO THE ONES THAT WE
18 GOT HERE AT THE COC LAST TIME I TOOK TO THE -- I ASKED THAT
19 NADIA ALSO GIVE THEM TO THE FACILITIES COMMITTEE. WE
20 DIDN'T DISCUSS THEM, BUT I JUST THOUGHT IT WAS IMPORTANT
21 THAT THE FACILITIES COMMITTEE HAD THAT KIND OF INFORMATION.

22 SO I'M STILL FEELING VERY UNHAPPY THAT WE DON'T
23 HAVE KIND OF AN UP-TO-DATE BUDGET REPORT. I HAD HOPED THAT
24 WE WOULD HAVE UP-TO-DATE NUMBERS ON THE BUDGET, NOT SO MUCH
25 THE EXPENDITURES, BUT THE BUDGET BECAUSE AS YOU'RE

1 PRIORITIZING, IT'S NICE TO KNOW WHEN YOU'LL RUN OUT OF
2 MONEY. SO I BELIEVE THE STAFF IS STILL WORKING ON CLOSING
3 OUT '16, '17. I'M NOT CLEAR IF THERE'S BUDGET NUMBERS
4 SOMEWHERE ELSE BECAUSE I DON'T KNOW HOW YOU GO FOR FOUR OR
5 FIVE MONTHS WITHOUT BUDGET NUMBERS.

6 MR. VITALE: SO WHAT IS THIS?

7 MS. RAHN: THIS IS FROM KIM.

8 MS. KENNE: NO, NO, NO. THIS PIECE OF PAPER I'M
9 GIVING YOU IS FROM -- SO PEOPLESOFT IS OUR DISTRICT BUDGET
10 SYSTEM SO OUR BUSINESS OFFICE ASKED FACILITIES TO SAY HOW
11 ARE YOU SPENDING YOUR MONEY FOR TT LAST YEAR. THIS IS PART
12 OF OUR ADOPTED DISTRICT BUDGET. YOU CAN SEE IT ADDS UP TO
13 111 DOWN AT THE BOTTOM THERE. WE HAD ABOUT 140 MILLION AT
14 THE BEGINNING OF LAST YEAR, MAYBE 142. WE SPENT ABOUT 32.
15 THERE WAS SOME INTEREST. THIS IS REALLY ALL THERE IS LEFT
16 OF TT. SO IT REALLY CAME OUT IN A LIST THAT JUST WAS IN
17 PROJECT ORDER.

18 SO WHAT I DID WAS I TRIED TO GROUP THEM SO YOU
19 COULD SEE. SO AT THE VERY TOP THERE'S \$2.5 MILLION
20 BUDGETED TO CENTRAL ADMINISTRATION. WHAT I'LL SAY IS OUR
21 PROJECT MANAGERS ARE BUDGETED THERE, BUT AS THEY WORK,
22 THEIR EXPENSES ARE MOVED TO THE INDIVIDUAL PROJECTS. SO
23 ANSON RANE IS ON THREE OR FOUR PROJECTS, MAYBE FIVE. RIGHT
24 NOW HIS ENTIRE CONTRACT IS AN ADMIN. AS HE DOES THE WORK
25 FOR PROJECT ONE AND TWO AND THREE, HIS EXPENSES WILL BE

1 ALLOCATED THERE. SO THEY'LL BE REMOVED FROM HERE. THEY
2 WON'T BE EXPENDED HERE.

3 MR. VITALE: THAT'S SOFT COSTS.

4 MS. KENNE: BUT I'M SAYING THEY'LL BE MOVED TO THE
5 SPECIFIC PROJECTS. FOR THE BEGINNING OF THE YEAR, IT IS
6 JUST HERE'S THE TOTAL AMOUNT FOR ANSON RANE BUDGETED.

7 MR. HOCUTT: SO THESE ARE THE PROJECT MANAGERS?

8 MS. KENNE: WELL, THIS IS STAFF AND PROJECT MANAGERS
9 AND MONEY BUDGETED FOR LEGAL FEES. THIS IS EVERYTHING THAT
10 IS BUDGETED TO THAT RESOURCE MONEY, THAT 95,000.

11 THE NEXT GROUP ARE PROJECTS THAT EITHER WERE THE
12 CONSTRUCTION WASN'T COMPLETE. WE STARTED TO FILE THE
13 NOTICE OF COMPLETION. MY UNDERSTANDING IS SOMETIMES WE'RE
14 STILL SPENDING MONEY OR WE HAVEN'T RELEASED THE LAST
15 PAYMENT. THESE ARE PROJECTS THAT ARE OSTENSIBLY COMPLETED.
16 THERE ARE THESE MONEYS STILL TO EITHER BE PAID OR TO BE
17 REALLOCATED, AND I CAN'T SPEAK TO WHICH, BUT THIS IS WHAT I
18 KNOW.

19 MR. HOCUTT: BUT THESE WERE COMPLETED IN A FISCAL
20 YEAR. THESE AREN'T ALL THE COMPLETED PROJECTS UNDER TT.

21 MS. KENNE: NO, NO. THESE ARE ALLOCATED IN THE
22 '17-'18 BUDGET. SO THESE PROJECTS THAT WERE -- AT LEAST
23 THE CONSTRUCTION WAS COMPLETED LAST YEAR. SO MAYBE THERE
24 ARE BILLS TO KEEP PAYING. MAYBE ALL THE COSTS HAVE BEEN
25 EXPENDED, BUT THEY JUST HAVEN'T RELEASED THE FUNDS FROM

1 THAT PROJECT BACK INTO THE FUND THAT WE COULD THEN DRAW
2 THEM FOR SOMETHING ELSE.

3 MR. VITALE: BUT THAT IS THE TOTAL PROJECT COST
4 INCLUSIVE OF ANY CHANGE ORDERS?

5 MS. KENNE: THIS IS JUST WHAT WAS BUDGETED.

6 MR. VITALE: IT'S NOT WHAT WAS PAID OUT THEN?

7 MS. KENNE: NO, NO. THIS IS WHAT WAS BUDGETED FOR
8 '17-'18. IN OTHER WORDS, SIERRA MADRE MIDDLE SCHOOL COST
9 THIRTY-SOMETHING MILLION DOLLARS, BUT THERE'S STILL 377,000
10 IN AN ACCOUNT. I THINK THAT'S WHAT THE SOUND WALL IS
11 COMING OUT OF.

12 MR. VITALE: THIS IS MONEYS REMAINING OF THE BUDGET
13 AMOUNT?

14 MS. KENNE: THIS IS WHAT IS BEING PROJECTED TO BE
15 SPENT IN '17-'18 AND ON WHAT PROJECT.

16 THE NEXT GROUP, APPROVED OR IN PROGRESS. THIS IS
17 WHAT'S HERE ON THE CONSTRUCTION STATUS REPORT AS WELL AS
18 ANY OF THE OTHER PROJECTS. I THINK IF YOU LOOK AT THE
19 PRIORITY LIST, EVERYTHING DOWN THROUGH NO. 9 IS HERE IN
20 THIS MIDDLE PART EXCEPT FOR ROSE CITY WHICH IS COMPLETED,
21 BUT SOMEHOW WE'RE STILL DOING SOME WORK.

22 DOWN BELOW IS THE MONEY AVAILABLE FOR
23 PRIORITIZATION, BUT IT'S ALREADY BEEN ALLOCATED IN THE
24 BUDGET SYSTEM BECAUSE THERE'S A DEADLINE. SO WE MAY MAKE
25 DECISIONS THAT CHANGE WHERE THIS MONEY IS, BUT MY POINT

1 WOULD BE THAT IT ADDS UP TO THE \$22 MILLION, WHICH IF
2 THERE'S ANOTHER YEAR OR TWO, AT LEAST 2 TO 3 MILLION OF
3 THAT NEEDS TO COME BACK OUT AND BE HELD FOR PROJECT
4 ADMINISTRATION IN FUTURE YEARS. THERE'S ONLY AROUND 20
5 MILLION LEFT FOR THE BOARD TO PRIORITIZE TOMORROW NIGHT,
6 AND THAT IS IF NONE OF THESE PROJECTS GOES OVER, AND I AM
7 CONCERNED ABOUT NORMA COOMBS.

8 MS. RAHN: AND WASHINGTON.

9 MS. KENNE: YES. IT'S KIND OF HARD TO UNDERSTAND.
10 IT'S HARD TO UNDERSTAND IF IT'S GOING TO COST MORE THAN WE
11 THINK OR ARE WE JUST GOING TO GET LESS THAN WHAT WE
12 THOUGHT. ANYWAYS, I WANTED TO GIVE YOU SOME OTHER
13 INFORMATION. THIS WAS WHAT IT LOOKED LIKE WHEN WE APPROVED
14 THE BUDGET SO THIS CAN CHANGE AS WELL, AND I DIDN'T PUT ANY
15 EXPENDITURES BECAUSE AT THAT POINT THERE WEREN'T
16 EXPENDITURES.

17 MR. VITALE: BUT IT'S A MEASURE. IT'S A MARKING
18 POINT, AND THAT'S GOOD.

19 MS. KENNE: BUT WE DO WANT TO SEE SOMETHING THAT HAS
20 THE OVERALL PROJECT BUDGETED AND THEN WITH EXPENDITURES,
21 OVER THE LIFE OF A PROJECT THAT COULD HAVE COVERED THREE OR
22 FOUR YEARS. AND FOR THE NEW PEOPLE ONE OF MY CONCERNS, SO
23 SEE WHERE IT SAYS ELIOT CAFETERIA, KITCHEN, AUDITORIUM AND
24 THEN I WROTE REALLY IT'S THE BOILER. SO WE HAD AN ELIOT
25 PROJECT TO DO THE CAFETERIA, THE KITCHEN, AND THE

1 AUDITORIUM. THAT'S DONE. BUT NOW WE'RE DOING THE BOILER,
2 BUT WE DIDN'T SET UP A NEW PROJECT NAME FOR IT. WE JUST
3 PUT -- LEFT SOME MONEY IN HERE, AND NOW WE'RE DOING IT SO
4 IT'S REALLY THE BOILER PROJECT, BUT IT DOESN'T SAY IT'S THE
5 BOILER PROJECT, AND NOW I'VE GOT TWO DIFFERENT PROJECTS IN
6 THE SAME BUCKET OF MONEY, AND HOW DO I KNOW WHEN ONE
7 STOPPED AND ONE STARTED? THAT'S JUST, AGAIN, I'VE RAISED
8 THIS TWO OR THREE TIMES AT FACILITIES, AT REGULAR BOARD
9 MEETINGS.

10 MR. HOCUTT: HOW MANY BOARD MEMBERS DO YOU THINK SHARE
11 YOUR CONCERN ABOUT THESE NUMBERS?

12 MS. KENNE: I'LL LET MIKALA ANSWER.

13 MS. RAHN: KIM DOES THIS SO MANY HOURS A WEEK AND IS
14 VERY DETAILED ORIENTED AND HAS BEEN THE FINANCE CHAIR AND
15 ALL OF THAT. SHE IS PROBABLY THE ONLY ONE TRULY CONCERNED.

16 MR. HOCUTT: AND THE ANSWER THEY'RE NOT CONCERNED IS
17 BECAUSE IT'S JUST POLITICS?

18 MS. RAHN: IT'S THAT THEY'RE TRUSTING THE PROCESS.
19 YOU GIVE IT TO A SUPERINTENDENT, AND THERE'S OTHER FIRES.
20 SO THERE'S A BRUSH FIRE IN THIS DISTRICT SO DO YOU PICK,
21 YOU KNOW, THE MOUNTAIN BURNING HERE OR DO YOU PICK THE HILL
22 OVER HERE, AND SO IT ISN'T FOR LACK OF CARE. IT'S NOT THE
23 FIRE THEY'RE ON.

24 MR. VITALE: BUT A PROCESS WITHOUT VALIDATION IS --

25 MS. KENNE: AND FOR FULL DISCLOSURE, AND I THINK I'VE

1 SAID THIS HERE, AND I'VE CERTAINLY SAID IT OTHER PLACES.
2 I'VE BEEN ON THE BOARD SEVEN YEARS, AND I IGNORED TT FOR
3 THE FIRST SIX OF THOSE BECAUSE I KNEW IT WAS A VERY, VERY
4 LARGE SUBJECT WHICH WITH HOW I APPROACH THINGS MEANS IT'S
5 TIME CONSUMING. THIS IS MY FACILITIES PAPERWORK. I WAS
6 SORTING THROUGH IT, AND THEN I ACTUALLY REALIZED I MUST BE
7 MISSING SOME OF IT.

8 SO IT'S JUST HOW I APPROACH THINGS. SO THIS IS
9 MY FIRST ATTEMPT, AND BEFORE I WAS LIKE, YOU KNOW, THERE'S
10 A FACILITIES COMMITTEE. I KIND OF HAVE TO BELIEVE THAT
11 BETWEEN STAFF AND THE FACILITIES COMMITTEE WHEN THEY COME
12 TO ME AT THE BOARD MEETING AND SAY WE VETTED THIS, THEN I
13 HAVE TO FEEL SOME LEVEL OF COMFORT THAT I CAN TRUST THEM
14 BECAUSE I CAN'T DO IT ALL. SO THAT WAS MY APPROACH IN THE
15 PAST. SO WHEN YOU ASK ABOUT OTHER BOARD MEMBERS, EVERYBODY
16 HAS THE CHUNK THAT THEY CARE ABOUT.

17 MR. VITALE: HOW DOES THAT MATCH AGAINST THIS THEN?
18 WE DON'T KNOW YET.

19 MS. KENNE: WELL, AGAIN, THAT'S JUST GOT CONSTRUCTION
20 COSTS. SO LIKE FOR BLAIR, BLAIR WE HAVE A CONTRACT. WE
21 HAVE A CONTRACT FOR CONSTRUCTION. SOME OF IT MAY HAVE BEEN
22 PAID IN '16-'17 SO THE BUDGET IS ONLY WHAT WE HAVE
23 REMAINING TO PAY IN '17-'18, BUT HOPEFULLY ALSO IN THAT
24 BLAIR NUMBER IS INSPECTIONS AND CONTINGENCY FOR ANY CHANGE
25 ORDERS AND THE OTHER MANY THINGS THAT HAPPEN THAT I DON'T

1 EVEN UNDERSTAND THAT MIGHT HAPPEN BETWEEN NOW AND FINISHING
2 THE PROJECT BECAUSE THAT'S ALL THE MONEY THERE IS. AND
3 THIS IS MY CONCERN. WHAT HAPPENS WHEN WE RUN OUT OF TT AND
4 THE PROJECTS AREN'T DONE? THIS IS WHY I DON'T WANT TO
5 SPEND MONEY ON FEASIBILITY STUDIES FOR THE NEXT PROJECT
6 BECAUSE I DON'T KNOW WHAT WE'RE GOING TO DO IF WE'RE 98
7 PERCENT DONE, AND WE RUN OUT OF MONEY.

8 MR. PEREZ: THAT'S WHY THERE'S A MORATORIUM ON THAT
9 BECAUSE NELSON WANTS TO BE SURE THAT THE PROJECTS IN
10 CONSTRUCTION ARE COMPLETED. NOT RUN OUT OF MONEY.

11 MS. KENNE: AND I JUST FEEL BLAIR -- BLAIR IS OF THE
12 SIZE, WE'VE GOT THREE OR FOUR OF THE SIZE THAT COULD CAUSE
13 THE SAME KIND OF PROBLEMS AS WASHINGTON ELEMENTARY.
14 HOPEFULLY WE HAVE BETTER --

15 MR. PEREZ: CONTRACTORS?

16 MS. CROSS: OVERSIGHT.

17 MS. RAHN: DON'T GET ME STARTED ON THAT ARCHITECT.

18 MR. COLE: STOP. WE'VE BEEN THERE.

19 MS. KENNE: THAT'S JUST A CONCERN. I HOPE THAT WE'RE
20 BEING PRUDENT IN PADDING SOME OF THESE VERY LARGE PROJECTS
21 SO THAT WE DON'T --

22 MR. HOCUTT: ISN'T YOUR SAVING GRACE REALLY GOING TO
23 BE PROPOSITION 51 STATE FUNDED CONSTRUCTION?

24 MS. KENNE: I DON'T THINK SO. THIS IS SOMETHING THAT
25 NELSON HAS SENT TO THE BOARD, A LIST OF THE POTENTIAL SITES

1 THAT WOULD BE ELIGIBLE FOR THE 60/40 STATE FUNDING FOR
2 MODERNIZATION. I DON'T THINK THERE'S A CHANCE IN HELL OF
3 US QUALIFYING FOR NEW CONSTRUCTION BECAUSE WE HAVE
4 ABSOLUTELY NO INDICATION THAT WE HAVE ADDITIONAL STUDENTS
5 BEYOND THE SOMEWHERE BETWEEN 3,000 AND 10,000 EMPTY SEATS
6 WE HAVE IN OUR DISTRICT THAT WE COULD EXPAND.

7 SO I DON'T KNOW THAT WE COULD -- HANG ON. SO
8 THERE'S A LIST OF SITES, AND I HAVE THAT SOMEWHERE. BUT WE
9 HAVE TO APPLY AND THERE'S ALREADY TWO GROUPS OF PEOPLE WHO
10 ALREADY HAVE FIRST DIBS ON THAT MONEY AS SOON AS THAT STATE
11 STARTS PUTTING OUT THAT MONEY. THERE'S AN UNFUNDED LIST
12 FROM BACK WHENEVER AND THEN THERE ARE PEOPLE WHO APPLY, BUT
13 THEY HAVEN'T PROCESSED THE APPLICATIONS, AND WE HAVE ONE OF
14 THOSE IN ON HAMILTON, BUT I THINK WE DID OUR WORK ON
15 HAMILTON A WHILE AGO.

16 WHEN I CALLED THE OPSC TO FIND OUT HOW THAT
17 WORKS, TO FIND OUT IF I COULD SEE IF WE HAD ANY THINGS ON
18 THOSE LISTS, I SAID CAN WE GET REIMBURSED FOR A PROJECT WE
19 ALREADY FINISHED. THAT'S THE ONE SHE WASN'T SURE ON, BUT
20 FOR ANY OTHER NEW PROJECTS, WE HAVE TO BE COMPLETELY
21 THROUGH DSA TO PUT IN AN APPLICATION AGAINST EVERYONE ELSE
22 FOR 60/40, BUT WE DON'T HAVE THE 40, AND SO I GUESS -- WE
23 HAVE TO THINK ABOUT DO WE WANT TO SPEND ALL THE UP-FRONT
24 COSTS ALL THE WAY THROUGH DSA ON SOMETHING THAT WE DON'T
25 HAVE OUR PART TO FINISH OUR PART, BUT WE'RE GOING TO APPLY

1 TO THE STATE FOR THEIR PART WHICH WE MAY NOT GET.

2 MR. VITALE: IS IT ALREADY IN DSA OR NOT?

3 MS. KENNE: I'M TALKING ABOUT THE IDEA WAS THAT WE
4 WOULD LIKE -- LET'S SAY LINDA VISTA, SOMETHING NEW. FOR A
5 SCHOOL WE DON'T NEED, WE'RE CONTEMPLATING SPENDING A
6 MILLION DOLLARS ON DESIGN TO BUILD AN \$11 MILLION SCHOOL
7 USING THIS TT MONEY RIGHT NOW, BUT WE DON'T HAVE 11 TO
8 BUILD IT. SO MAYBE WE COULD GET SOME FROM THE STATE, BUT,
9 AGAIN, YOU'VE GOT CONTINGENCY OF ANOTHER BOND AND A
10 CONTINGENCY OF STATE MONEY.

11 MR. VITALE: AND YOU'VE GOT INCREASING COSTS BECAUSE
12 OF ALL OF THE BONDS THAT ARE ON THE STREET. THERE'S GOING
13 TO BE SO MUCH DEMAND FOR CONTRACTORS, THAT THEY'RE GOING TO
14 BE ABLE TO RAISE THEIR PRICES. SO WHAT YOU BUDGETED MAY
15 NOT IN REALITY WORK A YEAR OR TWO YEARS DOWN THE LINE WHEN
16 YOU FINALLY HAVE AN APPROVED SET OF PLANS READY TO GO TO
17 BID AND SUDDENLY YOU'RE GOING TO FIND THAT YOU HAVE A 20
18 PERCENT BUST IN THE BUDGET BECAUSE OF INCREASED
19 CONSTRUCTION MATERIAL COSTS.

20 MS. KENNE: SO I THINK PRUDENCE AND FRUGALITY SHOULD
21 BE WATCH WORDS. AGAIN, THIS IS MY ONE BOARD MEMBER'S
22 OPINION.

23 MS. CROSS: ESPECIALLY IF WE HAVE A DECLINING
24 POPULATION IN THE DISTRICT.

25 MS. RAHN: SIXTEEN YEARS GOING.

1 MR. CATES: I'D LIKE TO WRAP THIS UP BEFORE 10:00.

2 MR. PEREZ: JUST A COMMENT. WE HAD A MEETING ON
3 MONDAY ON THAT, AND THERE WAS A FULL DISCLOSURE OF WHAT
4 PROJECTS CAN BE USED FOR THOSE FUNDS, AND THE STAFF IS
5 WORKING ON THAT, TRYING TO IDENTIFY WHICH PROJECTS AND
6 WHICH MONEYS WE CAN RECOUP FROM OTHER PROJECTS.

7 MS. KENNE: FROM COMPLETED PROJECTS.

8 MR. PEREZ: YES. THERE IS A 25 YEAR SECTION FOR
9 BUILDINGS AND 20 FOR PORTABLES. THAT'S IT.

10 MR. CATES: THANK YOU, KIM.

11 IV-H.

12 MR. COLE: I THINK WE PRETTY MUCH COVERED THAT. NOT
13 MUCH WENT ON IN THE FACILITIES, AND THAT'S MY REPORT.

14 MR. CATES: REPORT BY PUBLIC OUTREACH. DIANA IS NOT
15 HERE.

16 WILLIE, DO YOU HAVE ANYTHING TO TELL US?

17 MR. ORDONEZ: I CALLED UP LONGFELLOW AND MS. MALDONADO
18 AND THERE IS A MEETING NEXT WEEK THURSDAY.

19 MR. CATES: THIS IS?

20 MR. ORDONEZ: THERE'S NO --

21 MR. CATES: A MEETING OF SITE COUNCIL?

22 MS. RAHN: SITE COUNCIL.

23 MR. CATES: WHY DON'T WE DEFER THIS UNTIL THE NEXT
24 MEETING AND HOPE THAT DIANA SHOWS UP.

25 HAS ANYONE CONTACTED THE STAR NEWS OR OUTLOOK?

1 THAT WAS SOMETHING WE DISCUSSED AT OUR LAST MEETING.

2 MS. DUDLEY: I CONTACTED JAMES MCPHEARSON AT PASADENA
3 NOW AND I CONTACTED CHERRY MILLER AT PASADENA INDEPENDENT,
4 AND I GAVE THEM YOUR CONTACT INFORMATION. DID EITHER ONE
5 OF THEM CONTACT YOU?

6 MR. CATES: NO, THEY HAVEN'T.

7 MS. DUDLEY: I GAVE THEM ALL THE INFORMATION ABOUT THE
8 COMMITTEE AND EVERYTHING THAT CAME FROM THE COMMITTEE

9 MR. CATES: GREAT. WOULD YOU CALL THEM AGAIN AND SAY
10 YOU KNOW, PLEASE, GET IN TOUCH WITH ME. I'D LOVE TO SPEAK
11 TO THEM.

12 MS. DUDLEY: OKAY.

13 MR. CATES: YOU DID GET THE EMAIL I SENT YOU?

14 MS. DUDLEY: THE ONE YOU SENT TODAY?

15 MR. CATES: YES.

16 OUR NEXT MEETING DATE IS SEPTEMBER 20, THIRD
17 WEDNESDAY OF EACH MONTH.

18 ARE THERE ANY FURTHER COMMENTS?

19 HEARING NONE, THE MEETING IS ADJOURNED AT 9:36.

20 (WHEREUPON THE MEETING ADJOURNED AT 9:36 P.M.)

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22

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