



Pasadena Unified School District (PUSD)

CITIZENS' OVERSIGHT COMMITTEE (COC) MEETING

Meeting Minutes of April 18, 2018

Location: Pasadena Unified School District Education Center, Room 236, 351 S. Hudson Ave., Pasadena, CA. 91109

Date & Time of meeting: April 18, 2018 at 6:30 p.m.

Members Present: Quincy Hocutt, Jen Wang, Willie Ordonez, Mikala Rahn, Diana Verdugo, Robin Salzer, Camille Dudley, Daniel Stuart, Stephen Aquino, and Chip Ossman.

Members Absent: Francis Boland, James Vitale and Raphael Henderson.

Pasadena Unified School District (PUSD) Board Member Liaison to COC: Kimberly Kenne

PUSD Staff: Nelson M. Cayabyab, Chief Facilities Officer; Miguel Perez Escalona, Construction Specialist and Nadia Zendejas, Executive Secretary.

I. CALL TO ORDER

Mr. Hocutt

Mr. Hocutt called the meeting to order at 6:37 p.m.

II. PUBLIC COMMENT

Mr. Hocutt

There were no public comments.

III. Business

a. Approval of March Minutes

Ms. Wang moved to approve the March 21, 2018 Meeting Minutes as submitted. Ms. Verdugo seconded. Vote: 7 to 0; 1 abstain (Mr. Ossman) (Ms. Rahn and Mr. Stuart arrived late to the meeting they were not present for this agenda item)

b. Introduction of new COC Members

Members provided quick self-introductions. Pictures and contact information is now on the COC webpage.

Assignments to COC committees

Mr. Hocutt e-mailed all the members a proposed subcommittee spreadsheet. He asked for volunteers to be part of the "minutes sub-committee" and there were none. .

Mr. Hocutt appointed Mr. Aquino to the board reports analysis sub-committee.

c. Election of new Vice-Chair

Mr. Hocutt asked for volunteers to serve as the new vice-chair of the COC. Mr. Stuart volunteered and Ms. Verdugo moved to select Mr. Stuart for the vice-chair position.

Vote: 8 to 0; 2 abstained (Ms. Rahn was not present to vote on this agenda item)

d. Definition of "malfeasance" – misappropriation of public funds

For the record, Mr. Hocutt provided a response to a former member's resignation letter regarding the definition of the word "malfeasance." The definition of malfeasance by the Legal Information Institute is "intentional conduct that is wrongful or unlawful, especially by officials or public employees." COC members were encouraged to keep this definition in mind.

- e. “How to help” the PUSD
Mr. Hocutt reminded the committee that this item was not approved for continuation of effort at the last meeting.
- f. Discussion of costs of operation of the COC “website.”
Mr. Hocutt clarified that the COC does not have their own website but has a webpage within the main PUSD website.
Mr. Cayabyab confirmed that an old website was created at the beginning of the bond project for promotional purposes for passage of the bond. He also confirmed that the costs within Facilities Administration (*and therefore charged to Measure TT*) for legal fees and that promotional website have been cumulative since the beginning of the bond.
- g. Request for review and accounting of expenses contained in the budget item for “Facilities Administration” in the new spend out plan.
Mr. Stuart reiterated that the Measure TT spend-plan that was approved by the board contained no line item for the 20 million dollar proposed budget for Facilities Administration. He requested a breakdown of the 11 million dollars that have already been spent, including to whom were they paid and for what services. He asked for a plan for expenditure of the remaining funds.
Mr. Cayabyab stated that the cost for the facilities administration is to pay for the project inspectors, salary of the staff, project managers, and printing of the plans to support the bond measure. He added that this is in place of having a bond management construction company doing this work for the district.
- h. Advise the Board of significant mathematical errors in the Spend Out plan and request corrections
Mr. Stuart commented that the spend-out plan that was presented to the Board contained math errors. Concerning the installation of security cameras, the sub-total was included in the total, thereby doubling the number. The decision to include security cameras in the budget potentially became a lower priority item because the board saw it as twice as expensive.
Mr. Cayabyab informed the Committee that the reason for the increase in security related totals is because the scope of work was changed because of recent school incidents that have occurred in the country. He added that what was included in the grand security total number was safety locks for each of the doors, and also intrusion alarms that could be installed in addition to the security cameras.
- i. Request for bids supporting costs of security cameras and a comparison to similar expenses in other school districts.
Mr. Stuart asked Mr. Cayabyab if there is a current version of the security proposal that has been made available. He likes the idea of the schools being safer and could the Board put it on the list of priorities. He noted it might make a difference if the proposal were 2.7 versus 1.3 million (due to the math error.)
- j. Discussion re potential school closures, if any, and its effect upon spending of TT funds.
Dr. Rahn informed the committee that the District will not close any schools as the decision was made by the Board to table this item for an entire school year. She stated she was part of the consolidation and boundary realignment committee, and that although recommendations for closure had been made, the Board felt there was limited time to implement such a plan. There will be no closed schools for 2018-2019. She reminded the Committee that closure of schools is not within the purview of the committee.



It was noted that the COC has requested from the board an updated Facilities Master Plan but this has not happened.

Mr. Stuart asked why the Facilities' department internal staff could not update the facilities master plan rather than having to pay an outside company to do it. Dr. Rahn added that such a directive needs to come from the board.

A discussion ensued of the difficulty of developing construction project budgets without having a plan for which schools would remain open and perhaps require construction. It was determined that Dr. Rahn would develop a proposed plan in conjunction with the Chair and Vice Chair to present to the Board for consideration.

- k. Brief on the legal fees moved out of TT that were expended in support of 7-11 committees:

1. What is the amount, what periods of time does it cover, how was the determination made of the amount?

Mr. Cayabyab informed the committee that the Fund 21.1 Measure TT was reimbursed for the 7-11 committee expenditures and staff provided the board with a transmittal sheet from the inception of the 7-11 committee to date showing the transfer of the expenditures out of the Measure TT to the general fund and the reimbursement of the Measure TT funds.

Mr. Cayabyab reported that the total expenditures were \$69,456.26 and he would provide copies of the transmittal sheets to the COC committee for their review.

2. What is the status of future moves to be made, including those for training seminars and general legal fees unrelated to construction issues?

Mr. Hocutt asked if there are any future expenditures for other general legal fees or training seminar fees to be paid out of the Measure TT fund?

Mr. Cayabyab responded that there is no plan to pay for legal fees other than the legal expenditures that are construction related, but did not respond to such past fees.

- l. Discussion of "Process" on how to determine appropriate percentages for charges against Measure TT by Facilities staff personnel

Mr. Hocutt asked the committee if anyone had suggestions on the proper way to do this so that this board would be satisfied with the percentages.

Mr. Salzer suggested employees use time cards.

Ms. Bradford suggested they start by asking Nelson what he thinks the percentage should be as a starting point.

Mr. Hocutt suggested that individuals could be asked to make some estimates themselves or the COC could interview the individuals.

Dr. Rahn commented that she does not believe this falls under the committee's purview. She recommended the committee request that the Board's Facilities Committee do this work because they are the right body to make this decision.

Mr. Ossman confirmed that he would be at the facilities committee meeting. He will ask this question of the facilities committee and report back to the committee next month.

Mr. Cayabyab proposed that he will present to the Facilities committee his view of what the appropriate charge should be per employee and if the Facilities committee approves it he will share it with the COC. He will revisit the percentages every six months. The committee listened to Mr. Cayabyab's proposal and he will proceed with his proposal.

- m. Resolution of charges for COC support charged to Measure TT, and how the decision was reached to dismiss transcriptionist without discussion, consultation or notification to the COC.
 - 1. There is the need for microphones/good equipment/typing of verbatim from transcript, including time markers.
 - 2. Discussion of how to prepare minutes with no verbatim transcript.

A suggestion was made that there be no audio recording of the meeting. Instead, the committee could proceed through the meeting per the agenda and if there were something that someone would specifically like to have reflected on the minutes, they could send an e-mail to whoever is doing the minutes after the meeting and request for their item be added.

There was extended discussion on a process ranging from posting the audio recording, to not having an audio recording, to having a summary produced for each agenda item.

Dr. Rahn moved there be an audio recording of the meeting to be posted on the website and that Ms. Zendejas and Dr. Rahn would take notes of the meeting and confer with each other and produce a set of draft meeting minutes. Mr. Stuart seconded the motion. Vote: 9 to 1.
- n. Discussion of Acceptance by the Board of the Spend Out plan resulting in the need for production of Budget Status Reports and enhanced Construction Status reports, and their formats, in support of that plan.

This item will be included in Ms. Kenne's report.
- o. Discussion of Altadena library board and violation of state law
Mr. Hocutt shared with the committee that the Altadena Board violated the law and Brown Act and that subsequently the Chair had been forced out.
Discussion of letter by private citizen to PUSD Board
Per Mr. Hocutt this item was skipped.
- q. Review of new Board Reports.
Dr. Rahn proposed that this item be near the top on the agenda due to its importance.

All board reports were ultimately recommended for Board approval.

IV. Report By Chief of Facilities

Mr. Perez presented the committee with a presentation of photographs of current construction progress.

V. Report by Board Liaison to the COC

Ms. Kenne reported that the Board response to the COC annual report will be on the Facilities Committee agenda tomorrow. Upon approval by that committee, the response will go to the full board on April 26, 2018.

Ms. Kenne noted that at the March 29, 2018 meeting the board approved the Measure TT spend out plan projects 1 to 13 and 15a.

She ended her report by informing the committee that the District is starting to look into asset management. Dr. McDonald has stated that the District wants to look into how the District can get ongoing income from District properties, rather than obtaining a one-time income from selling a property.



VI. Report by COC Liaison to Facilities Committee

There was no report from Mr. Ossman because the Facilities Committee meeting is not scheduled until tomorrow.

VII. Next meeting date: May 16, 2018

The next meeting will be held at Washington Elementary, including a tour of the new construction

VIII. Adjournment

The meeting adjourned at 9:17 p.m.