

SAN DIEGO UNIFIED SCHOOL DISTRICT  
4100 Normal Street, Auditorium  
San Diego, CA 92103  
Proposition S, Independent Citizens' Oversight Committee  
April 22, 2009, 4:00 p.m.

**MINUTES**

AGENDA ITEMS	ASSIGNMENTS/UNDERSTANDINGS
Meeting Called to Order: (Markey)	Mr. Markey called the meeting to order at 4:00 p.m.
Introduction Of New Secretary, Paula Ross (Markey)	Ms. Ross was introduced as the new secretary that will be working with the ICOC.
Roll Call: (Ross) (Action)	<b>Members In Attendance:</b> Gregg Cantor (arrived at 4:06), Jim Frager (left at 6:00 p.m.), John Gordon, Glenn Hillegas, Gil Johnson, Daniel Morales, Ray Moreno (arrived at 4:05 p.m.), Leonard Pinson , Deanna Spehn (arrived at 4:15 p.m.) and John Stump <b>Member(s) Excused:</b> Jay Wilson
<b>Public Testimony</b> [No action or discussion may occur regarding public comment on matters not on the agenda. Items may be referred to staff for placement on a future agenda. Public testimony is limited to 3 minutes per person.] <b>Public Testimony requests are to be given to the ICOC Secretary prior to the start of the meeting.</b>	Mr. Pat Flannery - Blog of San Diego, spoke on non-agenda item.  Additional public testimony was taken under Item 3.
1. Approval of 3/25/09 Minutes: (Exhibit) (Action) (Markey)	<b>Motion:</b> Mr. Stump moved to refer the draft minutes to the Governance Committee for revision. Mr. Gordon seconds the motion. <b>The motion is carried.</b>
2. Ad-Hoc Governance Subcommittee (Gordon, Johnson, Spehn) 2.1 Presentation of Report (Exhibit)(Action) 2.2 Selection of President Pro Tem (Action) 2.3 Proposed ICOC Meeting Schedule and Establish Calendar (Action) (Exhibit) 2.4 Set Date for ICOC Officer Selection (Action) 2.5 Discussion and Selection of Subcommittees and Subcommittee Assignments(Action)(Exhibit) 2.6 Subcommittee Meetings to be Scheduled (Action)	Mr. Johnson and Mr. Gordon presented the recommendations from the Ad-Hoc Governance Subcommittee. <b>2.1 Motion:</b> Mr. Stump moved to receive report (Exhibit 2.1) as presented. Mr. Cantor seconded the motion. <b>The motion carried.</b> <b>2.2 Motion:</b> Mr. Stump moved to elect Gil Johnson as President Pro Tem. Mr. Morales seconded the motion. <b>The motion carried.</b> Mr. Johnson took over as chair of the meeting. <b>2.3 Motion:</b> Mr. Stump moved to accept the ICOC calendar of meetings for 2009, with the ICOC meeting the third Thursday of each month, starting with the May 2009 meeting. Frager seconded the motion. <b>The motion carried.</b> <b>2.4 No action taken</b> <b>2.5</b> Mr. Markey submitted his Exhibit 2.5 outlining <b>Motion:</b> Mr. Stump moved to accept the report as initial guidance and establish four subcommittees with the general names provided in the report. Ms. Spehn seconded the motion. <b>The motion carried.</b> <b>2.6 Motion:</b> Mr. Morales moved to have the Governance Subcommittee address the issue of meeting location. Mr. Moreno seconded the motion. <b>The motion carried.</b>  The President Pro Tem requested each ICOC members to volunteer for two subcommittees as follows:

AGENDA ITEMS	ASSIGNMENTS/UNDERSTANDINGS
	<p><b>Mr. Cantor</b> – Construction &amp; Implementation and Finance, Planning &amp; Controls</p> <p><b>Mr. Frager</b> – Finance, Planning &amp; Controls and Construction &amp; Implementation</p> <p><b>Mr. Gordon</b> – Finance, Planning &amp; Controls and Audit &amp; Performance</p> <p><b>Mr. Hillegas</b> – Construction &amp; Implementation and Audit &amp; Performance</p> <p><b>Ms. Spehn</b> – Governance &amp; Accountability and Finance, Planning &amp; Controls, Audit &amp; Performance</p> <p><b>Mr. Stump</b> – Finance, Planning &amp; Controls and Governance &amp; Accountability</p> <p><b>Mr. Morales</b> – Construction &amp; Implementation and Finance, Planning &amp; Controls</p> <p><b>Mr. Moreno</b> – Governance &amp; Accountability and Construction Implementation</p> <p><b>Mr. Pinson</b> – Construction &amp; Implementation and Governance &amp; Accountability</p> <p>It was general consensus that Governance &amp; Accountability, Construction &amp; Implementation, and Finance, Planning &amp; Controls will meet during the next month prior to the next full meeting.</p> <p>District Council, Mr. Breeze, stated that the individual members of the subcommittee could communicate regarding when to meet and what to discuss without breaking Brown Act Rules. Reserve discussion until Brown Act Noticed meetings.</p> <p>The issued of creating bylaws which would include language indemnifying the ICOC members was referred to Mr. Breeze for input. Mr. Breeze will work with the Governance Subcommittee for bylaws wording.</p>
<p>3. Ad-Hoc PSA Subcommittee (Cantor Frager, Morales, Moreno, Stump)</p> <p>3.1 Presentation of Report (Exhibit)(Action)</p> <p>3.2 Discussion of Next Step/Action (Action)</p>	<p><b>Motion:</b> Mr. Cantor moved to allow guest speakers on Item 3 who came in late to speak. Mr. Frager seconded the motion. <b>The motion carried.</b></p> <p>Mr. Morales referred to Mr. Stump to present the Ad-Hoc Subcommittee’s report. Mr. Stump read the report to the committee</p> <p><b>3.1 Motion:</b> Mr. Stump moved to accept the report. Mr. Morales seconded the motion. <b>The motion carried.</b></p> <p>Public testimony was taken as part of discussion in the following order:</p> <p>Brad Barnum – Associated General Contractors</p> <p>Tom Lemmon – S. D. County Building and Construction Trades Council</p> <p>Rick Amison – Pacific Rim Mechanical</p> <p>Terry Broyles – Pacific Rim Mechanical</p> <p>Eric Christen – Project Stabilization Agreement</p> <p>Russ Thurman – (Association not provided)</p> <p>Evan Mc Laughlin – S. D. Imperial Counties Labor</p>

AGENDA ITEMS	ASSIGNMENTS/UNDERSTANDINGS
	<p>Council                      Pat Flannery – Blog of San Diego                      Bob Otilie – (Association not provided)</p> <p><b>3.2 Motion:</b> Mr. Frager moved to have the ICOC conducts a full investigation of the potential effect of a PSA on Proposition S construction project costs prior to the School Board proceeding to adopt a PSA. Mr. Cantor seconded the motion. <b>Mr. Frager withdrew his motion and left the meeting at 6:10 p.m.</b></p> <p>During discussion Ms. Spehn, representative of San Diego Taxpayers’ Association, asked that the San Diego County Taxpayers’ Association letter to Trustee Shelia Jackson regarding the ICOC’s role with the PSA be read into the record. (ICOC Handout Related to Item 3, April 22, 2009)</p> <p><b>Motion:</b> Ms. Spehn moved to extend the ending of the meeting to complete discussion as needed. Mr. Gordon seconded the motion. <b>The motion carried.</b> Mr. Frager presented a letter from Marks, Goliz &amp; Finch, LLP providing their opinion on the ICOC’s power to investigate and report to the public on the adoption of a PLA by the District. (Mtg Handout Regarding Item 3 – posted on website.)</p> <p><b>Motion:</b> Ms. Spehn moved to refer the discussion regarding the ICOC roles and responsibilities to the Governance Subcommittee, with the recommendation that the Governance Subcommittee be convened as soon as possible. Mr. Gordon seconded the motion. <b>The motion carried.</b></p> <p><b>Motion:</b> Mr. Cantor moved that the ICOC evaluate and notify the Board that the ICOC subcommittee will evaluate the potential effect of a PSA on Proposition S construction project costs and benefits and we would respectfully request that the School Board take no action until there is a full report from the ICOC. Motion seconded by Mr. Pinson. <b>Motion carried.</b></p> <p>Discussion continued regarding which subcommittee will address this issue.</p> <p><b>Motion:</b> was made to move the PSA issue to the Finance Subcommittee and the decision was split and did not carry.</p> <p><b>Motion:</b> Mr. Cantor moved to send the PSA issue to the Construction &amp; Implementation Subcommittee for further action. Mr. Pinson seconded the motion. The motion carried. Mr. Moreno abstained.</p>

AGENDA ITEMS	ASSIGNMENTS/UNDERSTANDINGS
<p>4. Project Status Reports (Markey/Brown)(Action)            4.1 Planning Report (Watts) (Exhibit)            4.2 Design Status (Dulgeroff) (Exhibit)            4.3 Construction Status Report (Bovee) (Exhibit)            4.4 Financial Report (Splittgerber) (Exhibit)</p>	<p>Mr. Markey presented the exhibits from staff and questions were taken from the committee regarding the contents. Request that Mr. Markey e-mail out a basic project priority explanation.  <b>4.1 – 4.4 Motion:</b> moved to accept the reports as presented. Seconded the motion. Motion carried.</p> <p>Mr. Johnson requested that these reports come forward through the subcommittees review process in the future.</p>
<p>5. Communications Report (Reed-Porter)(Action)            5.1 Website            5.2 Posting Agenda, Minutes, Exhibits and additional information.</p>	<p>Due to time constraints these issues were referred to the respective subcommittees.</p>
<p>6. Status of Proposition S Bond Sales (Markey)(Action)</p>	<p>Mr. Markey reported that \$169,997,580.95 in Proposition S bonds had been sold since the opening on Tuesday April 21, 2009. Information only.</p>
<p>7. Adjournment (Action)  <i>Next meeting is scheduled for May, 2009</i></p>	<p><b>Motion:</b> Ms. Spehn moved to adjourn the meeting. Mr. Johnson seconded the motion. <b>The motion carried.</b></p> <p>Meeting was adjourned at 6:35 p.m.</p>