

Americans with Disabilities Act of 1990 compliant. For disability-related modification or accommodation including auxiliary aids or services, please call the Recording Secretary 24-hours in advance Monday through Friday to ensure availability (858) 637-3609

SAN DIEGO UNIFIED SCHOOL DISTRICT
Eugene Brucker Education Center
4100 Normal Street, San Diego, CA 92103
Auditorium

WEB POSTINGS: <http://www.sandi.net/props/icoc/#2>

Proposition S School Bond
Independent Citizens' Oversight Committee
Governance & Accountability Subcommittee
September 2, 2009, 4:00 pm – 5:30 pm

MINUTES

Subcommittee Members: Morales, Moreno, Pinson, Spathas, Spehn, Stump

AGENDA ITEMS	ASSIGNMENTS/UNDERSTANDINGS
Meeting Called to Order: (Spathas)	Meeting called to order at 4:04 p.m.
Roll Call: (Hoff for Ross) (Action)	<p>Members in attendance: Daniel Morales, Ray Moreno (left at 5:00), Leonard Pinson, Matt Spathas, Deanna Spehn (arrived at 4:35), John Stump</p> <p>Non-subcommittee members in attendance: Gil Johnson</p> <p>Others in attendance: Chuck Brown, George Harris, Stu Markey, Roland Garcia (Smart Technologies)</p>
<p>Public Testimony [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.]</p> <p>Public Testimony requests are to be given to the ICOC Secretary prior to the start of the meeting.</p>	None given.
<p>1. Approval of Governance Subcommittee meeting minutes (Spathas) (Exhibit) (Action)</p> <p>1.1 August 5, 2009</p> <p>1.2 August 10, 2009</p>	<p>Motion: Mr. Stump moved to approve both sets of minutes; Mr. Moreno seconded the motion. The motion passed without objection. Ms. Spehn was absent for this motion.</p>
2. RFP/RFQ (Spathas) (Exhibit) (Action)	<p>The committee agreed to use the strikethrough version presented as Handout 2. Mr. Markey said the changes reflect comments that Mr. Stump had made and staff had worked with to bring those into alignment with his guidance. Mr. Johnson asked if they differ from the ones that were on the website and Mr. Markey responded only very slightly. Mr. Stump said the subtenant change is that the insurances are dropped to a million dollars. Other than that, there is only a change in page 1, the last sentence in paragraph 6. He is fine with the change to a million dollars. Mr. Markey said the district has reduced its liabilities from \$10 million to \$2 million for professional services' contracts which includes architects. In this case, he is very comfortable reducing it to \$1 million for general</p>

AGENDA ITEMS	ASSIGNMENTS/UNDERSTANDINGS
	<p>purposes. Mr. Spathas suggested the committee go through each page of the document. Mr. Stump said he has gone through the document and has some comments. On page 1, the number of students and sites should be updated to reflect current information. He feels that this is portrayed as passive and he asked that it be made more active. He suggested that in items 1, 2 and 3, change the word “attend” to “staff”. In 4, where it says, “Perform WEB Site Maintenance” it should be “oversee” or “coordinate” or a different word because the district is required to maintain it so the word “perform” is not the right word. Mr. Pinson suggested “coordinate and verify site maintenance” to guarantee that the information is reported accurately on the website. The committee agreed to this language. In 5, 6, 7 instead of “assist in the preparation” it should be “prepare and coordinate” the various ICOC annual reports. He said it is the job of the ICOC to prepare the report; the committee needs staff to prepare. They will work with the district staff on the content, but it is the ICOC’s report. The ICOC is overseeing the district staff and reporting on their performance. The committee agreed for items 1 to 8 to introduce the scope and list the tasks instead of the repetitive statements in this version. Mr. Markey said item 9 has a lot to it and should be itemized like a checklist under “Prepare and coordinate”. The committee agreed. Mr. Stump said in item 12, it should be “Organize and conduct” and the committee agreed to change “quarterly” to “as needed”. Mr. Harris clarified for the committee the information under item 14 and agreed to expand the language around Labor Compliance to include a review of the Project Stabilization Agreement administration. Mr. Harris indicated “effectiveness” is too broad for this concept and the committee agreed to delete the word. Mr. Stump said items 13, 14 and PSA could be itemized and listed in one sentence under “Prepare an annual report on Prop. S”. In items 15 and 16, it should be “Prepare annual reports on the joint use programs”. In item 17, it should be “Review school district efforts to implement cost savings”. In item 18, Mr. Stump suggested to change “three-year” to “execution schedule”. At the bottom of page 2, Mr. Stump requested the statement of where the report is being sent to reflect that it must be sent to the ICOC. Mr. Markey suggested using “ICOC Facilities Contract Supervisor” instead of a specific name of a person. Mr. Stump said on page 3 under</p>

AGENDA ITEMS	ASSIGNMENTS/UNDERSTANDINGS
	<p>paragraph e. and f., he wants persons who have experience in public oversight or who have been in support of oversight committees. The skill set he is looking for is persons who can write an analytical report with specific data in mind. On e., it should be “support experience for oversight committees” and on f., instead of K-12, it should be “with emphasis on performance audit and government oversight if available”. Mr. Harris said the skill Mr. Stump is looking for is the ability to do oversight in a systematic function. He asked for clarification regarding what skill/skills Mr. Stump specifically wanted captured. Mr. Stump suggested to the committee to capture the oversight skill and then it would be desirable if they also have experience with K-12. On page 4, paragraph j., it should say “Priority will be given to firms located within the San Diego Unified School District” not “San Diego County” and the last sentence should read “The respondent agrees to hire qualified San Diego Unified School District residents and firms whenever feasible”. Mr. Johnson wants to make sure it is not a penalty. Mr. Markey said they will do a paper screening first and then interviews. It was agreed by the committee to use “within the boundaries” of the San Diego Unified School District. In item 4, Mr. Stump pointed out the typographical error which should be corrected from “10 pitch” to “10 point”. Mr. Spathas questioned if firms will not be able to submit electronically because he feels there should be a choice allowed between electronically and hard copy. Mr. Markey said he will check with the Contracts Department regarding if there are internal rules for this. Ms. Spehn cautioned the committee that if multiple copies are required, then it would save the district the expense of having to make the copies in order to do the evaluation. She said only if everyone is going to view them online, then it would be one way, otherwise, it could be difficult to handle the applications electronically. Mr. Stump said on page 5, item 5, he feels the ICOC should be involved and some of the members should be on the selection committee. There was discussion regarding the level of ICOC involvement in the selection of the consultant for the RFQ. Mr. Harris said when the recommendation comes to the Board, someone will probably ask if the ICOC was involved or approves of the recommendation. He said typically participation is with a staff team that has some technical experience and are able to distinguish and then there is the ICOC</p>

AGENDA ITEMS	ASSIGNMENTS/UNDERSTANDINGS
	<p>or independent person or persons that participate in that decision. The decisions are ideally done on a consensus level and everyone agrees on the rankings. It was agreed to discuss the make-up of the panel at a later meeting. Ms. Spehn suggested that the document should go out right away. Mr. Markey said the process could take more than 120 days and there is work to do between now and when this is approved. He asked the committee to give him permission to hire someone to help with the items that need to get done in the meantime. Mr. Stump said on page 5 in the second to the last paragraph which deals with the indemnity, he would like to add ICOC members there. Mr. Markey said that as soon as the ICOC approves the RFP, he will take it to the contracts department and they will put it in the proper format. It will be advertised for 10 business days.</p> <p>Motion: Mr. Pinson moved that the committee accept the RFP with the recommendations of all the changes as noted in this meeting and that this be taken to the full ICOC on September 17. Mr. Morales seconded the motion. Ms. Spehn noted that on page 1 there is an error in the second paragraph with the website address and that “sand.net” should be changed to “sandi.net”. There were no objections and the motion passed unanimously. Mr. Markey was asked what the probable date is for this to go to the Board. He said once it is approved by the ICOC on September 17, he will take it to contracts the next day and have them advertise it for 10 days. Then the contracts department will immediately do a paper screening. It should be able to go to the Board on December 8. There was discussion regarding whether to take the draft RFP to the contracts department immediately or wait until September 18. Mr. Markey asked the committee to assign one person to review with him the changes and prepare the final version for the ICOC.</p> <p>Motion: Mr. Morales moved that Mr. Stump work with Mr. Markey to review the changes to the RFP document. Mr. Spathas seconded the motion. There were no objections and the motion passed unanimously. Mr. Stump said the open issue is how to form the selection panel and it should be on the agenda for the next meeting.</p> <p>Motion: Ms. Spehn moved to approve staff to arrange for a 120 day contract to provide support services to the ICOC. Mr. Pinson seconded the motion. Mr. Stump stated that he opposes because he feels there is</p>

AGENDA ITEMS	ASSIGNMENTS/UNDERSTANDINGS
	<p>something possibly being set up and it is making him nervous. Mr. Harris indicated there will be outreach efforts but the data base is limited so he is requesting names and they will seek those people out to see if they are interested.</p> <p><i>Action Item: Mr. Markey will ask Contracts Department regarding electronic applications.</i></p> <p><i>Action Item: Mr. Markey to present the RFP selection to the Board on December 8 for approval.</i></p> <p><i>Action Item: Mr. Markey will work with Mr. Stump to review the recommendations of changes to prepare a final version for the ICOC meeting.</i></p> <p><i>Action Item: Discussion of the selection panel formation to choose the RFP consultant at the next Governance meeting.</i></p>
3. Adjournment (Action)	Meeting adjourned at 5:19 p.m.