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SAN DIEGO UNIFIED SCHOOL DISTRICT  
 4100 Normal Street, Auditorium  
 San Diego, CA 92103  
 Proposition S School Bond  
 Independent Citizens' Oversight Committee  
 September 17, 2009, 4:00 p.m. to 6:00 p.m.

**MINUTES**

AGENDA ITEMS	ASSIGNMENTS/UNDERSTANDINGS
Meeting Called to Order: (Johnson)	Meeting called to order at 4:04 p.m.
Roll Call: (Hoff) (Action)	<p><b>Members in attendance:</b> Gregg Cantor (arrived at 4:05 p.m.), John Gordon, Glenn Hillegas, Gil Johnson, Daniel Morales, Leonard Pinson, Matt Spathas (arrived at 4:05 p.m.), Deanna Spehn (arrived at 4:13 p.m.), John Stump</p> <p><b>Members excused:</b> Jim Frager</p> <p><b>Members absent:</b> Ray Moreno</p> <p><b>Others in attendance:</b> Mark Bresee, Chuck Brown, Lee Dulgeroff, George Harris, Stu Markey, Cynthia Reed-Porter, Joel Splittgerber, Jim Watts, Emily Alpert (Voice of San Diego), and Lewis Michaelson (Katz &amp; Associates)</p>
<p><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.]</p> <p><b>Public Testimony requests are to be given to the ICOC Secretary prior to the start of the meeting.</b></p>	No public testimony.
1. Approval of minutes for ICOC meeting of 8-20-09 (Johnson) <b>(Exhibit)</b> (Action)	<p><b>Motion:</b> Mr. Stump moved to approve the 8-20-09 minutes with corrections. Mr. Morales seconded the motion. Mr. Stump indicated on page 4 regarding the voluntary participation in the lottery, the committee agreed to allow the modification to go forward to the second reading but did not agree to the modification itself. The motion was unanimously approved.</p>
<p>2. Bylaws: Second reading (Spathas) <b>(Exhibit)</b> (Action)</p> <p>2.1 Memo Regarding Bylaws <b>(Exhibit)</b> (Information Only)</p>	<p><b>Section 5 D, Term:</b></p> <p><b>Motion:</b> Mr. Spathas moved to approve the language as written. Mr. Cantor seconded the motion. The motion passed with 3 objections (Gordon, Morales, Stump) and no abstentions.</p> <p><b>Section 13, Minority Reports:</b></p> <p>The committee decided on Option 1 so that four rather than five members are needed to create Minority Reports. A vote was called for without a motion or second being made. The choice passed with 3 objections (Johnson, Pinson,</p>

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	<p>Spathas) and no abstentions.  <b>Motion:</b> Mr. Cantor moved to approve the Bylaws be accepted with the changes noted. Mr. Pinson seconded the motion. The motion passed with 2 objections (Morales, Stump) and no abstentions. Mr. Morales indicated that adoption and any amendment must be approved by a two-thirds vote of the entire committee.  <b>Section 15, Amendment of Bylaws:</b>  <b>Motion:</b> Mr. Spathas moved to modify the adoption of the Bylaws from two-thirds to a simple majority. Mr. Cantor seconded the motion. The motion failed with 4 objections (Gordon, Hillegas, Morales, Stump) and no abstentions.  <b>Section 5 D, Term:</b>  <b>Motion:</b> Mr. Stump moved to clarify that this will be accomplished first as voluntary and then if the needed number of 5 (up to but no more than that amount) is not reached, there will be a voluntary participation in a lottery. Mr. Morales seconded the motion. The motion passed with objection from Ms. Spehn.  <b>Motion:</b> Mr. Stump moved that the Bylaws be adopted with the changes noted. Mr. Morales seconded the motion. The roll was called and the motion was unanimously carried.  <i>Action Item: Mr. Bresee will make the arrangements to have the Bylaws put on the agenda for the next Board of Education meeting.</i></p>
<p>3. Construction &amp; Implementation Subcommittee (Pinson)            3.1 Presentation of 9-3-09 Draft Minutes/Report (Pinson) (<b>Exhibit</b>) (Information Only)            3.2 Small Business Outreach (Pinson) (Information Only)</p>	<p>Mr. Pinson discussed the site visits to Mission Bay High School’s Café Student Store and to the Creative Performing Media Arts School (CPMA) and the new white boards. Mr. Johnson asked the difference between Business Outreach and Small Business Outreach. Mr. Markey indicated that an outreach is how to bring in organizations and individuals that represent the under-represented part of the community to be a work partner. In the context of the Project Stabilization Agreement (PSA), it is going to be important that not only do we reach out to that community, but that we engage the contractors who are wary of contracting with the school district just because of the PSA. The distinction as to what determines Small Business varies between the State and the City. Mr. Pinson said that Small Businesses regulated and certified through the State is what should be used at this point. He indicated Service Disabled Veteran Owned Business and Minority Owned will be tracked as well. EBE Reports are being submitted monthly to the Construction Subcommittee and will be presented to the ICOC quarterly.            Mr. Dulgeroff presented the Construction Management</p>

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<p>3.3 Project/Construction Management Report (Dulgeroff) <b>(Exhibit)</b> (Information Only)</p> <p>3.4 Construction Subcommittee Chair (Pinson)</p> <p>3.4.1 Chair’s Comments</p> <p>3.4.2 Current/Future Subcommittee Focus</p>	<p>Report on the current projects and their progress. The Madison High School Automotive Program was awarded by the Board on September 8. Mr. Pinson indicated that i21 will represent a majority of the construction in the next 3 years. Mr. Markey said half of the budget in construction will be consumed by IT work. About \$50 million dollars a year will be spent for the next 5 years. Over 800 interactive white board systems throughout the district have been put in. This first roll out has been very successful with very few complaints from the schools and it was completed on time for the beginning of school. The second leg will develop improved infrastructure systems and will deal with 77 schools which are the sites that were not touched by Prop MM and this will be accomplished through the E-rate Program. The third leg of the program is to follow-up infrastructure work that will bring the IT system up to 21<sup>st</sup> standards and this will happen throughout the Bond.</p> <p><i>Action Item: All outreach events will be reported to the Construction Subcommittee including actual numbers attending each event.</i></p> <p><i>Action Item: Quarterly EBE Reports to the ICOC.</i></p> <p><i>Action Item: Cynthia Reed-Porter to research information regarding what money is designated for IT in the bond.</i></p>
<p>4. Finance, Planning &amp; Controls Subcommittee (Gordon)</p> <p>4.1 Presentation of 8-27-09 Draft Minutes/Report (Gordon) <b>(Exhibit)</b> (Information Only)</p> <p>4.2 Monthly Controls Status Report (Splittgerber) <b>(Exhibit)</b> (Information Only)</p> <p>4.3 Revised Prop S 5-Year Execution Plan (Splittgerber) <b>(Exhibit)</b> (Information Only)</p> <p>4.4 Finance Subcommittee Chair (Gordon)</p> <p>4.4.1 Chair’s Comments</p> <p>4.4.2 Current/Future Subcommittee Focus</p>	<p>Mr. Splittgerber presented the Monthly Controls Status Report and indicated the Total Expenditures-to-Date as of July 31 is \$19.5M. The Preliminary Year-End Expended-to-Date is \$16.8M. Expenditures-to-Date for this year is \$2.4M and for last month is \$4.4M. Obligated-to-Date is \$78M as of July 31<sup>st</sup>. Due to the revised downward Prop. S Bond Sales, the project execution plan has been revised. Mr. Splittgerber presented the Revised Prop. S 5-Year Execution Plan and indicated it would be revised further and be brought back to the committee. Because of the reduced revenues by \$110M over the next 5 years, it is necessary to do serious revisions. There is over \$900M in project value that, if funds were available, could be awarded. The District cannot award contracts unless funds are available to pay contractors. Mr. Johnson advised Mr. Gordon to have the Finance Subcommittee focus on the impact of what this means to the planned projects. Mr. Gordon indicated the subcommittee did look into the referral items from the discussion of the last ICOC meeting and in regards to double payments they found that there is some foundation in place but with some new systems in the District, they will be studying this topic further and he will have some information to refer to the Audit Subcommittee.</p>

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	<p>Another referral item was use of Prop. S funds for the contracted teacher trainers and Mr. Bresee has indicated that he will be giving that information to the subcommittee. He said the last item was bridge loans and asked Mr. Markey to give further information. He indicated President Jackson asked him about the possibility and appropriateness of a bridge loan for this program. She has asked him to research this topic and report back to the Board.</p> <p><i>Action: The Revised Prop. S 5-Year Execution Plan will be updated for every project with all the components and brought to the next Finance Subcommittee meeting.</i></p> <p><i>Action: Mr. Gordon will refer information to the Audit Subcommittee regarding the District’s financial system for payments.</i></p> <p><i>Action: Mr. Bresee will report his findings to the Finance Subcommittee regarding Prop. S funding for the contracted trainers.</i></p> <p><i>Action: Mr. Markey will report to the ICOC on when the training began.</i></p>
<p>5. Governance &amp; Accountability Subcommittee (Spathas)</p> <p>5.1 Presentation of 9-2-09 Draft Minutes/Report (Spathas) (<b>Exhibit</b>) (Information Only)</p> <p>5.2 Draft RFP/RFQ (Spathas) (<b>Exhibit</b>) (Action)</p> <p>5.3 Governance Subcommittee Chair (Spathas)</p> <p>5.5.1 Chair’s Comments</p> <p>5.5.2 Current/Future Subcommittee Focus</p>	<p>Mr. Spathas acknowledged the work done by Mr. Stump and Mr. Harris who revised the RFP and thanked them for the quick turnaround so this document could be sent to the Board. Mr. Harris indicated there were two items of change. The first change affects the schedule under <u>II. Submission and Timeline</u>: the RFP Release will be September 21 instead of September 18 and that will change the remaining dates but it will not change the Board date. Therefore, the corrected dates are:  RFP Release: September 21, 2009  Statement of Qualifications Due (3:00 p.m.): October 12  Interviews at District’s Discretion: October 26, 2009  Notification of Intent to Award: November 9, 2009  Board Approval of Contracts(s): December 8, 2009  The second item of discussion is that the Risk Management Department has expressed some discomfort with the \$1M under <u>VI. Insurance</u>. Mr. Markey indicated he has already researched this item and it will remain that amount.  <b>Motion:</b> Mr. Stump moved to approve the RFP. Mr. Morales seconded the motion. The motion was unanimously approved.</p>
<p>6. Communication Update Report (Reed-Porter) (Information Only)</p>	<p>Ms. Reed-Porter reported that the new District website is up and running and encouraged the committee to look at the new ICOC webpage. She asked for direction from the</p>

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	<p>committee as to whether to work with Mr. Gordon or another designee as to who will determine what will go in the ICOC Library Section. Mr. Gordon indicated that he thinks each subcommittee should decide what they want in the library. He requested that the subcommittee chairs correspond with Ms. Reed-Porter and tell her what they want in the library. Mr. Johnson summarized the fact that Mr. Gordon would be the point-person; however, the subcommittee chairs are responsible for the content of their subcommittees in terms of what records they want posted on the webpage.</p> <p><i>Action: Ms. Reed-Porter will notify the webmaster to correct the search function.</i></p> <p><i>Action: Ms. Reed-Porter will be bringing a written communications' report to each ICOC meeting beginning with the next meeting.</i></p> <p><i>Action: Finance Subcommittee to research Ms. Reed-Porter's position and contributions.</i></p>
<p>7. Executive Director Comments (Markey)</p> <p>7.1 ICOC Memo Regarding Teleconferencing <b>(Exhibit)</b> (Information Only)</p> <p>7.2 Targeted ZIP Codes for PSA Workforce Goals <b>(Exhibit)</b> (Information Only)</p>	<p>Mr. Bresee reported that the agency lawsuit regarding the apprenticeship provisions of the PSA was continued by the judge on her own motion to December 4th. In referring to the Memo Regarding Teleconferencing, he indicated it is authorized but there are specific conditions that need to be followed. The agendas have to say there will be a telephonic location and the address of it; that agenda has to be posted at the remote location; that remote location has to be open to the public. There was discussion regarding Exhibit 7.2. Mr. Markey indicated that he had previously emailed the Targeted ZIP Codes to the committee.</p>
<p>8. ICOC Members' Comments (Information Only)</p>	<p>Ms. Spehn asked about the status of the school library. Mr. Markey indicated that it is his understanding that the financing has not been completely identified and the City Council has some way to go before they can take a vote on it one way or another. From his prospective, they are developing a model for a typical 400 seat high school with generic 900 square foot classrooms and offices which will occupy about 50,000 square feet in that 63,000 square foot space. This is a rough template and not intended to be the final program but is just a departure point. Mr. Johnson suggested creating an Ad hoc committee with one purpose, the library, and for them to be the focal point on the behalf of the ICOC. He suggested Ms. Spehn, Mr. Gordon, and Mr. Cantor because of their various business specialties.</p> <p><b>Motion:</b> Ms. Spehn moved to create an Ad hoc Library Committee. Mr. Morales seconded the motion. The</p>

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	motion passed with one abstention (Stump).
<p>9. Chairman Pro Tem Comments (Johnson)</p> <p>9.1 ICOC Workshop and Team Building scheduled for 9-26-09 from 8 a.m. to noon (Action)</p> <p>9.2 Project Site Visits (Action)</p> <p>9.2.1 September 22, 2009 (Tuesday: Hillegas)</p> <p>9.2.2 September 25, 2009 (Friday: Hillegas, Johnson, Morales)</p> <p>9.3 Ad hoc Technology Committee <b>(Exhibit)</b> (Action)</p> <p>9.4 Notification from members of attendance at subcommittee meetings due to ICOC secretary one week prior to meeting (Action)</p> <p>9.5 Calendar of Events (Action)</p>	<p>Mr. Markey indicated the same situation applies to the IT program and he would welcome an Ad hoc committee. Mr. Johnson said that Matt Spathas had become the point-person for the ICOC on i21 but the project is too large for one person. He asked the committee permission to set up an Ad hoc Technology Committee and suggested Matt Spathas, Glenn Hillegas, and asked for a third volunteer. Ms. Spehn volunteered to be on the Ad hoc committee. It was approved without objection.</p> <p>Mr. Johnson reminded the committee of the upcoming site visits and indicated he would not be able to participate.</p> <p>Mr. Johnson introduced Lewis Michaelson with Katz and Associates and stated he has worked extensively throughout the city with workshops in a team building mode.</p> <p>Mr. Johnson stated he is trying to accomplish team building and find a way that they can better work together and move forward. The committee needs to do business in a more constructive and focused way and be more efficient and effective.</p> <p><b>Motion:</b> Mr. Stump moved that the committee participate in the workshop. Mr. Morales seconded the motion. There were no objections. The committee agreed to hold the workshop after an abbreviated meeting on October 15 from 3:00 to 7:00 pm.</p>
<p>10. Adjournment (Action)</p>	<p>Meeting adjourned at 6:38 p.m.</p>