

LOS ANGELES UNIFIED SCHOOL DISTRICT

**SCHOOL CONSTRUCTION BOND CITIZENS' OVERSIGHT COMMITTEE**

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**Scott Folsom, Vice Chair**

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**Christopher Espinosa**

L.A. Mayor's Office

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**David Jenkins**

Associated General Contractors of  
California

**Lynda Levitan**

Thirty-First District PTSA

**Tyler McCauley**

County of Los Angeles

**Anastacio Medina**

BREATHE California

**Richard Slawson**

L.A. Co. Federation of Labor,  
AFL-CIO

**Virginia Tanzmann**

American Institute of Architects

**Betty Valles**

AARP

**(Vacant)**

California Taxpayers' Association

**(Vacant)**

Environmental Justice/Civil  
Rights Group

**Joseph P. Buchman – Legal Counsel**

Burke, Williams & Sorensen, LLP

**Thomas A. Rubin**

Oversight Committee Consultant

**Gary C. Anderson**

Director

**Frank Padilla**

Administrator

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**Citizens' Bond Oversight Committee**

**Regular Meeting**

**Beaudry Building**

**333 S. Beaudry Avenue, Los Angeles, CA 90017**

**Wednesday June 20, 2007**

Committee Members Present:

C. Rice; E. Bar-El; D. Crippens; C. Espinosa; D. Jenkins; L. Levitan; T. McCauley; A. Medina; V. Tanzmann; B. Valles

Committee Members Absent:

S. Folsom; C. Bergson; R. Slawson

**Agenda Item 1. Call to Order**

The meeting was called to order at 10:03 a.m. by Chairperson Constance Rice.

Ms. Rice announced that there will be no August BOC meeting.

**Agenda Item 3. Monthly Program Status Report – New Construction**

**Presenter: Jim Cowell, Deputy Chief Executive – New Construction**

Mr. Cowell announced that the CalExpo would be in August.

Mr. Cowell gave an overview of the architectural and engineering intern program for high school students.

Mr. Cowell detailed the improved design standards agenda. The schools being designed in Phases 2, 3, and 4 are not based on Phase 1 standards but incorporate many new improvements. Mr. Cowell detailed the Owner Controlled Insurance Program (OCIP). OCIP I was in place for the first five years of the program. OCIP II began a year ago. The result has been reduced workman's compensation claims, lower general liability claims, and the lost time injuries are lower than the industry standard.

Mr. Cowell briefed the committee on the Mt. Washington ES project where challenges with the fire sprinkler system caused some unexpected major cost overruns along with a high change order rate that impacted the budget. An internal review of the design and construction of the facility is underway. A third party review by a fire protection expert has been requested.

Bond Oversight Committee

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The Inspector General (IG) has been asked to conduct an investigation of perceived time card irregularities that surfaced from during the Mt. Washington project. Mr. Cowell discussed the current time card procedures for consultants; and noted, that an additional level of review has since been added to the process. If the IG determines more check and balances are needed, Mr. Cowell stated he would comply. Mr. Cowell noted that the process for the District goes beyond the industry standard with the IG currently auditing the construction management firms annually. Mr. Cowell stated a market survey of construction management firms was recently conducted. The results indicated District rates are not above the 75<sup>th</sup> percentile and 11 of the 50 District rates are above the 50<sup>th</sup> percentile. The rates that the District consultants are paid are lower than what other organizations are paying throughout the Los Angeles metropolitan area..

Mr. Cowell detailed the discrepancies in ADA compliance at four new schools as noted by Independent Monitor for the Modified Consent Decree. Mr. Cowell discussed the process: architects are hired that understand how to design for ADA; plans are reviewed by DSA; a DSA inspector checks for ADA compliance during construction. All errors in the process have been reviewed: 29 were found to be compliant; 3 were within acceptable tolerances; a majority of the noted discrepancies are achievable fixes; however, there are seven that will be challenging to fix. Lessons learned are being added to design and construction.

Mr. Cowell discussed DSA project certification. Approximately 200 projects have been completed with 25 certified. Certification does not prevent the occupancy of the school in accordance with the education code.

The Vista Hermosa the project is currently 70 percent complete. A community meeting was held to provide an update on the progress and recent budget increase of \$23.5 million.

Mr. Cowell discussed program funding: In November 2006 there was a \$1.6 billion shortfall at \$500 per square foot. Recently bids are coming in at \$600 per square foot. Planned legislation would not be enough to build all of the defined projects. Action to add funding or prioritization of projects would be needed. In summary, defined projects exceed available funding. Two-semester can be achieved at \$500 per square foot but at \$600-700 per square foot additional funding would be needed. Currently the two-semester projects are moving forward. A BOE commitment is needed for added funding. The District will continue to proceed for the capacity reduction in projects to an appropriate pause point.

Mr. Medina asked if the District was paying for the DSA inspector. Mr. Cowell responded yes. Mr. Medina asked how the arrangement had been functioning. Mr. Cowell responded that the District inspectors were mostly LAUSD employees. Mr. Cowell noted that feedback indicated improvements could be made with inspection and punch list processes. Mr. Cowell noted that Mr. Mehula had reorganized the inspection department to incorporate some of the improvements.

Ms. Rice stated press cynicism happens when they feel shutout. She suggested being transparent, thinking of them as partners, and not making them wait for documents when they ask for them. She noted with a Federal Monitor it was important to not let that person think information is being withheld.

#### **Agenda Item 6. BOC Election**

**Presenter: Ellen Shadur, BOC Legal Counsel**

Ms. Shadur announced the election would be for Chair, Vice Chair, Secretary, and up to two Executive Committee vacancies. Ms. Shadur read the job descriptions for the officers. Ms. Shadur opened up for nominations.

Mr. Crippens nominated Ms. Rice for Chair. There was a second, vote, and nominations were closed. Ms. Rice was reelected to Chair by acclamation. Ms. Rice nominated Mr. Folsom for Vice Chair. There was a second, vote, and nominations were closed. Mr. Folsom was reelected to Vice Chair by acclamation. Mr. Medina nominated Mr. Crippens for Secretary. There was a second, vote, and the nominations were closed. Mr. Crippens was reelected to Secretary by acclamation. Mr. Crippens nominated Ms. Bar-El to the Executive Committee. There was a second, vote, and nominations were closed. Ms. Bar-El was elected to the Executive Committee by acclamation. Mr. Espinosa requested to serve on the Executive Committee. There was a second, vote, and nominations were closed. Mr. Espinosa was elected to the Executive Committee by acclamation.

**Agenda Item 13. Existing Facilities SEP Amendment – Police Substation – Local District 1 Office**  
**Presenter: Bruce Kendall, Deputy Chief Executive – Existing Facilities**

The amendment is for a modernization project to build the second of three police substations. The substation will be located at Local District 1 offices. The total project cost is \$1.25 million. Mr. Kendall invited Deputy Chief Michael Bowman to speak.

Deputy Chief Bowman stated the project would be helpful as it would allow for an office in each local district. He mentioned the difficulty in getting officers out in a timely manner across the San Fernando Valley.

Ms. Levitan asked for the number of officers available at the facility. Deputy Chief Bowman responded that the facility would house 25 officers.

There was a Motion, Second, and vote.

**Aye: 10**  
**Naye: 0**  
**Abstain: 0**  
**Absent: 3**

**Resolution 2007-28 Passed Unanimously**

**Agenda Item 5. Consent Calendar**

Ms. Rice introduced the Consent Calendar consisting of the May 16, 2007 Minutes. Ms. Bar-El made incorporated changes to the Minutes.

There was a Motion, Second, and vote.

**Aye: 10**  
**Naye: 0**  
**Abstain: 0**  
**Absent: 3**

**The Consent Calendar Passed Unanimously**

**Agenda Item 7. New Construction Strategic Execution Plan Amendment – Proposition 39 Charter Projects**  
**Presenter: Kenneth Hargreaves, Director of Operations, New Construction**

The amendment is to add Prop 39 co-location projects and request permission to enter into use agreements on the campuses. There are eight projects. The agreements are currently in negotiations. Mr. Hargreaves invited Mr. McNair to speak.

Mr. McNair identified three items that make for good co-location. First, there must be open-mindedness and cooperation from the principal on the host site and principal of the charter school. Second, there must be support from the community. Third, both schools benefit from the co-location. Mr. McNair identified previous successful co-locations. Mr. McNair identified a problematic co-location.

Ms. Bar-El stated that a lot of money will be used for fences to separate the host and charter schools. She noted that fences are being paid for that may be taken down as many of the co-locations are one year or year to year contracts.

Mr. Medina asked if there have been rivalry problems between students. Mr. McNair responded that there were some issues with a co-location last year. It did not rise to the level of physical violence.

There was a Motion, Second, and vote.

**Aye: 9**

**Naye: 0**

**Abstain: 1 (E. Bar-EI)**

**Absent: 3**

**Resolution 2007-22 Passed**

**Agenda Item 8. New Construction / Existing Facilities SEP Amendment – Allocate Measure Y Funds to Reduce General Fund Subsidy**

**Presenter: Eric Blum, Acting Director, Facilities Support Services**

The amendment is to allocate \$50 million in Measure Y that was designated by the BOE for general fund relief. Ms. Rice asked Mr. Rubin if he believed the transfer was appropriate. Mr. Rubin responded that for many years the construction program had been subsidized by the general fund. The major issue that the BOC had was with maintenance, which is not included in the amendment.

**Aye: 10**

**Naye: 0**

**Abstain: 0**

**Absent: 3**

**Resolution 2007-23 Passed Unanimously**

**Agenda Item 9. Existing Facilities Strategic Execution Plan Amendment – Canceled Projects**

**Presenter: Bruce Kendall, Deputy Chief Executive, Existing Facilities**

The amendment is to cancel projects. The projects went through a thorough vetting within Existing Facilities and the schools. Ms. Rice asked Mr. Rubin if there were any canceled projects that shouldn't be on the list. Mr. Rubin responded no.

Ms. Tanzmann asked how the projects get on the list. Mr. Kendall responded that many of the Measure K projects were originated through school and community collaboration. The Measure R and Measure Y projects are going through different vetting processes, which are more stringent.

There was a Motion, Second, and vote.

**Aye: 10**

**Naye: 0**

**Abstain: 0**

**Absent: 3**

**Resolution 2007-24 Passed Unanimously**

**Agenda Item 10. Existing Facilities SEP Annual Update – A&I and Board Member Funded Projects**

**Presenter: Bruce Kendall, Deputy Chief Executive, Existing Facilities**

There are a total of 62 projects with a budget of \$12.3 million. Ms. Rice asked if any projects were an inappropriate use of funds. Mr. Rubin responded no.

There was a Motion, Second, and vote.

**Aye: 10**

**Naye: 0**

**Abstain: 0**

**Absent: 3**

**Agenda Item 11. Existing Facilities SEP Amendment – Small Learning Community Upgrade and Redesign**

**Presenter: Bruce Kendall, Deputy Chief Executive, Existing Facilities**

Mr. Kendall invited Mr. Kaufman to speak. The amendment is to provide funding for small learning community upgrades at Birmingham, Dorsey, Hamilton, Los Angeles, San Fernando, and Westchester. The schools will enhance their small learning communities with satellite offices, visual identity, and contiguous space.

There was a Motion, Second, and vote.

**Aye: 10**

**Naye: 0**

**Abstain: 0**

**Absent: 3**

**Resolution 2007-26 Passed Unanimously**

Ms. Rice noted that BOC staff is working on gathering the evaluation criteria for the New Tech High Schools. Ms. Rice asked Mr. Rubin when the report would be available. Mr. Rubin responded next month.

Ms. Bar-El stated the process for the small learning community projects follows a logical planning process that involves the schools and teachers. Ms. Bar-El noted that she had attended one of the meetings.

**Agenda Item 12. Existing Facilities SEP Amendment – Upgrades to the Culinary Arts Classroom at Dorsey**

**Presenter: Bruce Kendall, Deputy Chief Executive, Existing Facilities**

On January 21, 2006 a fire occurred in the Industrial Arts building at Dorsey HS. It was originally built in 1957 and later converted to a culinary arts classroom. The space was a culinary arts classroom at the time of the fire. The school would like to upgrade to a state of the art facility. The total estimated project cost is \$2.1 million.

Ms. Rice requested Mr. Anderson report back on the curriculum to see that it was connected to other culinary institutes. She wanted to know if the kids were getting access to high level culinary career paths.

There was a Motion, Second, and vote.

**Aye: 10**

**Naye: 0**

**Abstain: 0**

**Absent: 3**

**Resolution 2007-27 Passed Unanimously**

**Agenda Item 14. Existing Facilities SEP Amendment – Marshall HS Track and Field Project**

**Presenter: Bruce Kendall, Deputy Chief Executive, Existing Facilities**

The students at Marshall HS currently compete on a non-regulation athletic track and field. The proposed renovation project will provide a regulation athletic track and field and also correct drainage issues. Five portable building will be demolished as part of the project. There are no required provisions for interim or permanent housing for the portables.

The project will provide a new 400m synthetic track, a new restroom building, and a new fire lane road to join to the existing road.

Mr. Medina asked if the portables have asbestos insulation. Mr. Kendall responded that will be discussed during demolition. If the District has to take them down asbestos testing would have to be done.

There was a Motion, Second, and vote.

**Aye: 10**

**Naye: 0**

**Abstain: 0**

**Absent: 3**

**Resolution 2007-27 Passed Unanimously**

**Agenda Item 15. Existing Facilities SEP Amendment – Core Facilities – Grandstands and Methodology**

**Presenter: Bruce Kendall, Deputy Chief Executive, Existing Facilities**

Mr. Kendall stated many of the core facilities are inadequately sized at existing schools. The program objective is to provide core facilities where none exists or to expand a deficient core facility.

Approximately \$131 million of Measure R and \$150 million of Measure Y have been allocated. In February 2006 the BOC endorsed and the BOE approved 31 core facility projects.

Mr. Kendall discussed the grandstand projects. A child was injured and Facilities was directed by the BOE to do a condition and code compliance survey of existing grandstands. Prioritization was done for 11 schools that currently do not have DSA approval, require structural upgrades, and/or full replacement due to deterioration. The sites will require full design and renovation to meet DSA, life safety, structural, and access compliance requirements. An additional 13 school sites have been identified requiring kick bars to restrict openings to four inches. Facilities will also develop project scopes and budgets to address some toilet fixture and travel deficiencies.

Mr. Kendall stated he is working with the Food Services Branch in the prioritization of cafeteria renovation projects. Facilities is also working with Library services to develop scopes and budgets to renovate and expand existing libraries.

Mr. Medina asked what adjustments to project scope and travel distant meant. Mr. Kendall responded that in some cases the fixture count may be adequate, however, they are in a location that exceeds a code requirement for distance. In some cases restrooms have to be created closer to the classrooms.

Regarding determining needs for cafeterias, Ms. Bar-El asked if the staff, teachers, and principals were included in the process. Ms. Bar-El had heard from a teacher that changes had to be made to the cafeteria to meet various requirements and as a result the teachers lounge was being turned into an unusable space. She noted the teachers were not consulted. Mr. Kendall requested the name of the school and he would look into it.

Ms. Rice asked Mr. Rubin if there were any issues with the proposed methodology. Mr. Rubin responded no.

There was a Motion, Second, and vote.

**Aye: 10**

**Naye: 0**

**Abstain: 0**

**Absent: 3**

**Resolution 2007-30 Passed Unanimously**

**Agenda Item 16. Existing Facilities SEP Amendment-Modified Consent Decree On-Demand Accessibility Projects**

**Presenter: Bruce Kendall, Deputy Chief Executive, Existing Facilities**

The On-Demand Accessibility Program provides for minor renovations to facilities where necessary to provide access for individual students seeking placement in inaccessible District programs. The Modified Consent Decree required that a unit be created under the Special Education Division to address On-Demand requests related to accessibility. Per the

MCD the District made available \$20 million from Measure K Board Leveling Funds to fund the On-Demand Accessibility Program. All the projects requested were approved by the Special Education Division.

Mr. Kendall noted that some of the projects include temporary ramps. He noted there was a question as to whether bond funds could be used for temporary items. Mr. Kendall mentioned a temporary ramp would be in place at Chatsworth HS for over a year. There would also be a temporary in place at Garfield HS for over 19 months. Temporary ramps are used to satisfy the On-Demand requirements. Regarding capital assets, the California School Accounting Manual identifies buildings and improvements that are used in operations beyond a single reporting period as assets. Typically the ruling is usually one year.

Ms. Rice asked if temporary ramps were in place while permanent ones waited to be built. Mr. Kendall responded they are put in place immediately until a permanent structure is built. Ms. Rice asked Mr. Rubin for his assessment. Mr. Rubin stated the projects use a minor amount of money. The fact that they will be used over one year satisfies the criteria to be classified as an asset that could be funded with bond funds.

Ms. Rice asked if there was a person with ADA technical qualifications assigned to work with the Independent Monitor (IM). Mr. Kendall responded the program was increased in January and recently increased again. A full time manager has been assigned. Mr. Kendall is bringing on an architect that has knowledge of MCD.

There was a Motion, Second, and vote.

**Aye: 10**

**Naye: 0**

**Abstain: 0**

**Absent: 3**

**Resolution 2007-31 Passed Unanimously**

Ms. Valles asked what was being done about Garfield HS. Mr. Kendall responded that the District has a deductible of \$500,000. The insurance company has provided a check to cover the expenses of temporary work. The District is working with the insurance company as a plan is being developed for a replacement facility.

Ms. Rice noted that BOC staff has been asked to go through the Independent Monitor's Report and give a detailed analysis of what happened and what is being done to recover.

**Agenda Item 4. Monthly Program Status Report – Existing Facilities**

**Presenter: Bruce Kendall, Deputy Chief Executive – Existing Facilities**

Mr. Kendall identified major projects for May of 2007. There are approximately 20,000 repair and modernization projects.

Ms. Levitan noted that it was important to maintain and secure funding for these projects. Mr. Medina asked if any air from the exhaust vent next to the air conditioning unit at Marina Del Rey MS was circulated back into the school. Mr. Kendall responded that he would look into it and get back to him.

Chairperson Rice adjourned the meeting at 11:35 a.m.

Minutes of June 20, 2007 Approved per Bond Oversight Committee on July 18, 2007

David Crippens

David Crippens, Secretary