

LOS ANGELES UNIFIED SCHOOL DISTRICT

SCHOOL CONSTRUCTION BOND CITIZENS' OVERSIGHT COMMITTEE

Margaret Fuentes, Chair

LAUSD Student Parent

D. Michael Hamner, FAIA, Vice-Chair

American Institute of Architects

Dr. Samantha Rowles, Secretary

LAUSD Student Parent

Robert Campbell, Executive Committee

L.A. Co. Auditor-Controller's Office

Scott Pansky, Executive Committee

L.A. Area Chamber of Commerce

Neelura Bell

CA Charter School Association

Chad Boggio

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

Jeffrey Fischbach

CA Tax Reform Assn.

Aleigh Lewis

L.A. City Controller's Office

Patrick MacFarlane

Early Education Coalition

Brian Mello

Assoc. General Contractors of CA

Dr. Clarence Monteclaro

Tenth District PTSA

William O. Ross IV

31st District PTSA

Santa Ramirez (Alternate)

Tenth District PTSA

Connie Yee (Alternate)

L.A. Co. Auditor-Controller's Office

Vacant

Senior Citizen Organization

Vacant

L.A. City Mayor's Office

Joseph P. Buchman – Legal Counsel

Burke, Williams & Sorensen, LLP

Lori Raineri and Keith Weaver – Oversight

Consultants

Government Financial Services Joint

Powers Authority

Timothy Popejoy

Bond Oversight Administrator

Perla Zitle

Bond Oversight Coordinator

School Construction Bond Citizens' Oversight Committee

Regular Meeting

LAUSD HQ – Board Room

333 S. Beaudry Avenue

Los Angeles, CA 90017

Thursday, April 25, 2024

10:00 a.m.

Please see the archived video of the meeting for all discussions/questions:

<https://lausd.wistia.com/medias/i7hdlm0vc4> (English)

<https://lausd.wistia.com/medias/jyv06990m4> (Spanish)

Committee Members Present (12): Neelura Bell Chad Boggio, Robert Campbell, Jeffrey Fischbach, Margaret Fuentes, D. Michael Hamner, Aleigh Lewis, Patrick MacFarlane, Scott Pansky, Santa Ramirez (alternate of Dr. Clarence Monteclaro), William Ross, Samantha Rowles

Committee Members Absent (1): Brian Mello.

Committee Member Vacancies (2): Senior Citizen Organization, L.A. City Mayor's Office

00:00:00 Call to Order

Ms. Fuentes called the meeting to order at 10:08 a.m. and welcomed all to the Bond Oversight Committee (BOC) meeting.

Introductory Remarks

Ms. Fuentes, Chair of the BOC, welcomed BOC members, District staff and the public to the fourth BOC meeting of 2024. She stated that BOC members participating remotely needed to set their Interpretation Feature on the Zoom screen menu to their preferred language for simultaneous interpretation. She also thanked the KLCS Staff for their production, Information Technology Services for its technical support, Spanish Interpretation Staff for their work in translating and other District staff for their assistance in broadcasting the hybrid BOC meeting.

Ms. Fuentes reported that two BOC members were participating remotely. One member had arranged remote participation in advance, and his location was noted on the agenda. Pursuant to the Brown Act requirements for a member participating remotely on short notice, Ms. Ramirez made the necessary declaration to conform with her participation and joined the meeting.

00:01:08 Ms. Fuentes asked Mr. Hamner to give introductory remarks.

Mr. Hamner announced that the BOC website could be found at <https://www.lausd.org/boc>. He also indicated that meeting materials and live stream in both English and Spanish were located under the tab *Upcoming Meetings*. He encouraged participants to visit the BOC website where previously approved measures and relevant information can be found. He explained that public speakers were asked to sign up using a hyperlink to a Google form included on the agenda that was published on the BOC's website on March 24, 2024. He said the form was available 24 hours before the start of the meeting and would remain open for 20 minutes after the meeting.

Mr. Hamner stated that there would be a maximum of five (5) speakers for each agenda item and up to ten (10) speakers for public comment. He stated that all public speakers would have up to 3 minutes. He also stated that public speakers with more than one agenda item would be provided 6 minutes total to make comments on all items they wished to address. He detailed the protocols for public speakers via audio and said that they should monitor the meeting through the live stream and then turn off the live stream volume when asked to speak to avoid audio echo or audio feedback. When it was the speaker's turn to speak, BOC Staff would announce the last four digits of the caller's phone number, and each public speaker would be instructed to unmute on Zoom, or press *6 (star 6), to speak. He stated that in-person speakers would be asked to step up to the podium to be heard. He thanked everyone in advance for working with the Committee to accommodate speakers.

Mr. Hamner completed his remarks.

00:03:24 Ms. Fuentes read the Bond Oversight Committee's (BOC) mission statement:

"The mission of the Oversight Committee is to oversee the permissible and prudent expenditure of funds for the construction, repair, and modernization of schools by the Los Angeles Unified School District (LAUSD). In order to effectively carry out that mission the Oversight Committee must remain strong and independent. That is our responsibility to the District, the teachers, the students, and the taxpayers."

Ms. Fuentes appreciated the presence of students in the audience due to LAUSD recognizing April 25, 2024, as the *Take Our Children to Work Day*.

Ms. Fuentes informed that the BOC MOU Review Task Force remained active and is awaiting a response to proposed revisions forwarded to District Staff on September 19, 2023.

Ms. Fuentes announced that on April 16 she provided an overview of the BOC's work and an SUP update at the Board's Facilities and Procurement Committee. She stated that she spoke to various topics of concern related to the lack of progress on potential revisions to the MOU, the BOC's need to understand more about Greening projects, questions about COPs project implementation, and the question as to why the charter bond funds in the SUP are not used for affiliated charter projects. During the update, she said that she also requested a presentation from District Staff regarding artificial intelligence. She indicated that no acknowledgement had been received yet.

Ms. Fuentes also shared that on April 19 she and Mr. Campbell attended the ribbon-cutting reception for a new Parent Center and Student Wellness Room at Brooklyn Avenue Elementary School. The school also celebrated receiving a Gold State Implementation Award for Positive Behavioral Interventions and Support (PBIS). Ms. Fuentes also noted another ribbon-cutting event that Mr. Pansky attended on April 22 at John H. Francis Polytechnic High School. The school celebrated the Midway Construction Milestone of the current Comprehensive Modernization project. Mr. Pansky applauded the work being done at the school site by the Facilities team.

00:06:58 **Agenda Item 1. Public Comment**

There was one public speaker, who made comments on various agenda items.

00:14:01 Agenda Item 2. Consent Calendar – March 28, 2024 Meeting Minutes and BOC Third Quarterly Report FY 2023-2024 (January – March)

Mr. Pansky made a motion to move the Consent Calendar.

Mr. Fischbach seconded.

00:14:31 The Chair asked Mr. Popejoy to conduct a roll call vote.

Ayes: 12 - Ms. Bell, Mr. Boggio, Mr. Campbell, Mr. Fischbach, Ms. Fuentes, Mr. Hamner, Ms. Lewis, Mr. MacFarlane, Mr. Pansky, Ms. Ramirez, Mr. Ross, Dr. Rowles.

Nays: 0

Abstentions: 0

Absences: 1 – Mr. Mello.

The Consent Calendar was adopted.

00:15:30 Agenda Item 3. The 2024-2025 Education Code Section 47614 (Proposition 39) Facilities Renovation Effort and Amend the Facilities Services Division Strategic Execution Plan to Incorporate Therein
Presenters: Mark Cho, Deputy Director of Facilities Maintenance & Operations, FSD
Jeanette Borden, Charter Schools Operations Manager

Mr. Cho introduced the 2024-2025 Education Code Section 47614 (Proposition 39) Facilities Renovation Effort and Amend the Facilities Services Division Strategic Execution Plan to Incorporate Therein. He provided background for the Prop 39 California constitutional amendment of 2000 to share public school space with charter schools, for which a funding category was identified in the SUP.

Jeanette Borden, Charter Schools Operations Manager, provided some background information, an overview of the timeline set by State law and a summary of projects over the past five years including 2024-25.

- By Nov 1, Charter schools submit written request for use of LAUSD school facilities, including their projected in-district classroom Average Daily Attendance (ADA).
- By Dec 1, after careful review of each Charter School application and ADA, LAUSD agrees or objects to their ADA projections in writing.
- By Jan 2, the charter school responds to any objections by reaffirming or modifying the ADA projections.
- By Feb 1, LAUSD prepares in writing a Preliminary Proposal to charter schools with eligible facilities application requests.
- By Mar 1, Charter schools respond to the Preliminary Proposal expressing any concerns, addressing differences, and make counterproposals.
- By Apr 1, LAUSD submits in writing a Final Offer of facilities for each charter school.
- By May 1, the Charter schools either accept or reject the final offers. If the final offer is accepted, LAUSD will prepare the rooms for charter occupancy ten working days before their first day of instruction.

Mr. Cho presented the past two-year review of approved budgets and scope of this year's 2024-2025 projects comprised of facilities renovations, reconfigurations, technology, furniture, equipment, communications/safety systems, and other requirements as detailed in Board Report Rep-269-23/24. The total proposed budget for the reconfigurations was \$6.5M.

The BOC Chair read aloud the entire list of the schools that would potentially be impacted by the charter school co-location projects. There were questions and a discussion related to additional classroom space based on factors such as enrollment, unexpended funds not aligning with projections, final offer notifications, students per class, clarification on negative numbers in the chart presented, cost and

funding category for charter schools vacating a public school, highest cost of IT improvements, grade levels at Maclay Middle School, whether artificial intelligence and IT systems are used by charter schools, clarification on the recommendation to reserve funds for future reconfiguration when a charter school vacates a school, factors triggering the reconfiguration of a vacated classroom and projecting a budget for an undefined scope of work.

Further discussion and questions included demographic projections, level of difficulty in connecting and disconnecting technology systems such as public address systems (PA) or internet from a charter school network back to the District network (M&O to ask IT to provide more information), new District co-location policy, whether any of the proposed projects included schools listed in the approved policy that would apply next year, current lawsuit filed by the California Charter School Association, number of years that the reserve money is held for future charter schools vacating school sites, and potential overestimation of budgets.

The BOC Chair stated that the District makes the final decision for funding for the charter schools' reconfigurations, and the proposed projects were being presented to the BOC for recommendation only.

All questions were answered by District Staff.

Mr. Hamner made a motion to approve Resolution 2024-13.

Ms. Bell seconded.

01:08:31 The Chair asked Mr. Popejoy to conduct a roll call vote.

Ayes: 7 - Ms. Bell, Mr. Boggio, Mr. Hamner, Ms. Lewis, Mr. MacFarlane, Mr. Pansky, Dr. Rowles.

Nays: 1 - Ms. Fuentes.

Abstentions: 4 - Mr. Fischbach, Ms. Ramirez, Mr. Ross, Mr. Campbell

Absences: 1 - Mr. Mello.

Resolution 2024-13 passed.

01:09:53 **Agenda Item 4. Three Early Education Center Outdoor Classroom and Campus Upgrade Projects and Amend the Facilities Services Division Strategic Execution Plan to Incorporate Therein**
Presenters: Mark Cho, Deputy Director of Facilities Maintenance & Operations, FSD

Mr. Cho presented Three Early Education Center Outdoor Classroom and Campus Upgrade Projects and Amend the Facilities Services Division Strategic Execution Plan to Incorporate Therein. He explained the scope of work including HVAC and roof costs for the projects at Dayton Heights EEC, Sylvan Park EEC, and Westminster Avenue EEC. He stated the anticipated start is in the second quarter of 2026 and completion in 2027. There is a total combined budget of \$21.4M. He also provided budget breakdown percentages for four areas: pre-construction, construction, construction management, and reserve contingency. These proposed projects would add three more projects to the previously approved 12 projects in progress. Please refer to Board Report No. 252-23/24 for further detailed information.

There were member questions about factors taken into account for the project upgrades, cost breakdowns of the outdoor classroom and the campus upgrades, lack of visuals presented to the BOC showing the current conditions of components needing upgrades, design plan and assessment, confusion over lack of specific details in the presentation, suggestion to design elementary school environments similar to outdoor classrooms, budget for outdoor classroom versus campus upgrades, impact to the school campus, accessibility to play equipment, play equipment for students with special needs, and cost associated with square footage. BOC members expressed frustration about the lack of cost information provided by FSD staff for these and other projects and requested that additional project cost information be included in future presentations.

Ms. Amezcua, Mr. Bridgewater, Mr. Cho and Ms. Castillo answered all questions.

Mr. Boggio made a motion to approve Resolution 2024-14.

Mr. Hamner seconded.

01:41:32 The Chair asked Mr. Popejoy to conduct a roll call vote.

Ayes: 10 - Ms. Bell, Mr. Boggio, Mr. Fischbach, Ms. Fuentes, Mr. Hamner, Ms. Lewis, Mr. MacFarlane, Ms. Ramirez, Mr. Ross, Dr. Rowles.

Nays: 0

Abstentions: 2 - Mr. Campbell, Mr. Pansky.

Absences: 1 - Mr. Mello.

Resolution 2024-14 passed.

01:42:43 **Agenda Item 5. 14 Board District Priority and Region Priority Projects, Cancel Three Board District Priority and Region Priority Projects, and Amend the Facilities Services Division Strategic Execution Plan to Incorporate Therein**
Presenters: Mark Cho, Deputy Director of Facilities Maintenance & Operations, FSD

Mr. Cho, Deputy Director of Facilities Maintenance & Operations, presented the 14 Board District Priority and Region Priority Projects, Cancel Three Board District Priority and Region Priority Projects, and Amend the Facilities Services Division Strategic Execution Plan to Incorporate Therein. The projects included one audio system upgrade, two interactive display projects, three marquee projects, three security projects, and five furniture projects. The total combined budget for these 14 projects was \$880,434. Please refer to Board Report No. 270-23/24 for further detailed information.

There were questions related to the total amount being returned to the bond program category after cancelling the three projects and clarification regarding the Board Options and Consequences section in the Board Report for the cancellation of projects returning funding to the program.

Mr. Cho answered all questions.

Mr. Campbell made a motion to approve Resolution 2024-15.

Dr. Rowles seconded.

01:50:10 The Chair asked Mr. Popejoy to conduct a roll call vote.

Ayes: 12 - Ms. Bell, Mr. Boggio, Mr. Campbell, Mr. Fischbach, Ms. Fuentes, Mr. Hamner, Ms. Lewis, Mr. MacFarlane, Mr. Pansky, Ms. Ramirez, Mr. Ross, Dr. Rowles.

Nays: 0

Abstentions: 0

Absences: 1 - Mr. Mello.

Resolution 2024-15 passed.

01:51:03 **Agenda Item 6. The Porter Ranch Community School Phase 2 Classroom Addition Project and Amend the Facilities Services Division Strategic Execution Plan to Incorporate Therein**
Presenters: Aaron Bridgewater, Director of Facilities Planning and Development, FSD

Mr. Bridgewater presented the Porter Ranch Community School Phase 2 Classroom Addition Project and Amend the Facilities Services Division Strategic Execution Plan to Incorporate Therein. He reported that the Porter Ranch Community School is a TK-8 grade level school and is at its maximum capacity and unable to enroll more students. He stated that the Master Planning and Demographics staff anticipates an increase in school age children in the Porter Ranch area. The total combined budget for the project is \$2.9M. To alleviate overcrowding at the school, the District is proposing the relocation of six portable classrooms from Westchester Enriched Sciences Magnets to an underutilized grass area on the Porter Ranch campus. Please refer to Board Report No. 262-23/24 for further detailed information.

There were questions related to age/grade level of the students for the proposed classrooms, enrollment projection for the next five years, clarification on the greening space, students outside their home school catchment area being accepted on permits, whether there is a plan to open another school in the Porter Ranch area, access to the athletic field during recess, number of trees proposed to be planted, removal of grass replacement with asphalt, investments at nearby feeder schools to attract students from Porter Ranch, cost of testing for asbestos, clarification on the Phase 1 project at Porter Ranch.

There was a request to provide the number of student permits for enrollment granted at Porter Ranch.

Mr. Bridgewater answered all questions.

Mr. Fischbach made a motion to approve Resolution 2024-16.

Ms. Ramirez seconded.

02:13:41 The Chair asked Mr. Popejoy to conduct a roll call vote.

Ayes: 12 - Ms. Bell, Mr. Boggio, Mr. Campbell, Mr. Fischbach, Ms. Fuentes, Mr. Hamner, Ms. Lewis, Mr. MacFarlane, Mr. Pansky, Ms. Ramirez, Mr. Ross, Dr. Rowles.

Nays: 0

Abstentions: 0

Absences: 1 – Mr. Mello.

Resolution 2024-16 passed.

02:14:45 Agenda Item 7. Chief Facilities Executive's Report (Information Only)
Presenter: Krisztina Tokes, Chief Facilities Executive, FSD

Krisztina Tokes, Chief Facilities Executive, presented the Chief Facilities Executive's Report. She began her presentation acknowledging the unprecedented cost escalation in construction and managing cost while maintaining quality in a volatile construction market. She stated there are challenges in addressing aging infrastructure, supply chain disruptions, and regulatory changes in the education sector. She presented an overview of recent FSD work related to updating design specifications, including electrical and mechanical sections, to keep up with industry changes and remove outdated requirements. She also highlighted improvements for coordination between departments during the construction phase and processes around change orders, deviation requests, and constructability review. These were all made with the objective of improving efficiency in the project development process.

Ms. Tokes provided a specifications overview and showed a visual of a sample of design guidelines and specifications. She stated these could be found at [Facilities Services Division / Guide Specifications \(lausd.org\)](#). She discussed plans to bring in contractors and consultants to review specifications and design standards to improve efficiency and conformance. To help streamline construction processes, she will recommend improvements to foster synergy across teams and departments to optimize their work through engagement and revision of outdated policies. She also proposed leveraging District's partnerships to secure funding for infrastructure upgrades.

There were questions related to FSD staff consulting with legal staff for a possible provision in contracts for in-kind contributions from vendors, consideration of seeking external funding from special events such as the World Cup and the Olympic Games, and clarification on outdated policy for roll-on paint.

Members praised the effort to streamline processes to create savings for additional projects.

Ms. Tokes answered all questions.

02:27:31 Agenda Item 8. Performance Audit of Charter Schools Receipts (Information Only)
Presenters: Sue Stengel, Inspector General, OIG

Sue Stengel, Inspector General, began the presentation Performance Audit of Charter Schools Receipts by introducing the mission of the Office of the Inspector General and its team. She stated that the audit objective was to examine and validate a co-location facility fee process and whether over-allocation fees were owed to the District by Charter Schools. She said this area of interest was not previously audited and was identified for the 2023 workplan as bond eligible; but staff recently determined that the audit was not.

Victor Reyes, Senior Auditor, provided a brief overview of Proposition 39 and California Education Code 47614. He explained the Pro-rata share formula for the years 2020-21 and 2021-22 and presented a sample of the "Facilities costs worksheet" used by the Real Estate and Business Development Department to obtain the cost per square foot charged to Charter Schools for the use of District facilities.

Maria Thomas, Audit Manager, presented the initial results of the audit and the recalculations of the Pro-rata results. She highlighted that 13 of the 15 original cost calculations for fiscal year 2021 were incorrect and 14 of 15 original cost calculations for the fiscal year 2022 were incorrect. This resulted in a lower amount charged to Charter Schools for pro-rata share costs. She indicated that the recommendations made by the audit team were to formalize procedures for obtaining reports from SAP,

provide training to departments on new procedures, validate amounts in previous facilities cost worksheets, request applicable Charter Schools pay amounts based on calculated costs, and continue to enforce the collection of over-allocation fees.

The complete audit report is available at:

<https://my.lausd.net/webcenter/content/conn/WCCConn/uuid/dDocName:ID151112?rendition=web>.

There were questions related to the pending fees for closed charter schools, uncollectable fees, unvalidated line items, and coordination or participation of the Charter Schools Association in audits.

Ms. Stengel, Ms. Thomas, and Mr. Reyes answered all questions.

02:41:09 Agenda Item 9. Discussion of Non-Agenda Matters

Mr. Campbell expressed his desire for a breakdown of project costs in future presentations by District Staff – which other BOC members continue to request publicly during meetings – to make informed decisions and to carry out the mission of the Committee in an effective manner.

Mr. Popejoy acknowledged the request and would work with District Staff and BOC Chair to draft correspondence soliciting a response from the District.

02:43:11 Ms. Fuentes, Chair, adjourned the meeting at 12:54 p.m. She thanked BOC members, District Staff and members of the public for their participation. She also expressed gratitude to the students who attended the meeting as one of the activities for *Take Our Children to Work Day*. The next BOC meeting is scheduled for May 23, 2024.

Minutes of April 25, 2024, approved per School Construction Bond Citizens' Oversight Committee.

[/Samantha Rowles/](#)

Dr. Samantha Rowles, Secretary