

2004 COMMUNITY BOND OVERSIGHT COMMITTEE
Meeting Summary
April 26, 2005

Committee Members in Attendance

Mark Boyden
Jimmy Castro
Donetta Goodall
Staley Gray
Morris Hoover
Bobby Jenkins
Steve Kraal
Ana Martinez
Carolyn Merritt
Mary Ann Neely
Leroy Nellis
Jim Recek
Steve Rogers
Vince Torres
Gerard Washington
Horace Willis
Peck Young

Staff Members in Attendance

Randy Baldwin
Pat Rossett
Curt Shaw
Larry Throm
Paul Turner

Agenda

- I. Call to Order
- II. Introduction of New Tri-chair
- III. CBOC Expectations and Processes
- IV. Campus and Districtwide Requests for Project Scope of Work Changes
 - Zilker Elementary School
 - AISD Athletics Department and City of Austin PARD
- V. Accelerated Safety and Security Projects Funded through a Reimbursement Resolution
- VI. Agenda Items for Next Meeting

I. Call to Order

Dr. Donetta Goodall called the meeting to order and invited questions and modifications of the agenda from the other CBOC members.

II. Introduction of New Tri-Chair

Bobby Jenkins, AISD parent and Austin business owner, joined the CBOC as the newly appointed tri-chair.

III. CBOC Expectations and Processes

At the end of the March 22, 2005, meeting, members agreed that the tri-chairs would work with staff to develop a process and provide the draft at the next meeting. In developing the proposal, the tri-chairs reflected on the discussion at the CBOC meeting and structured the proposal to incorporate elements of that discussion where there appeared to be a consensus of the committee members. AISD staff (Paul Turner, Curt Shaw, Randy Baldwin, and Pat Rossett) was also present during this meeting to answer questions raised by the tri-chairs. To facilitate the discussion and development of this proposal, the charge from the Board was separated into seven subcharges.

Proposed Organization

At the CBOC meeting of March 22, it appeared that the CBOC members felt that the work of the committee should be organized to address the specific subcharges in the BOT charge of January 24. Therefore, the Tri-chairs felt that the work of the CBOC could be conducted through two committees, along with work conducted by the entire committee as follows.

Projects Committee: Fulfillment of BOT Subcharges 1 and 4

NOTE: This will actually consist of 3 subcommittees with a Tri-chair and one CBOC member co-chairing each subcommittee.

Survey Committee: Fulfillment of BOT Subcharges 2 and 3

Entire CBOC: Fulfillment of BOT Subcharges 5, 6 and 7

Projects Committee (BOT Subcharges 1 and 4)

To accomplish the work of BOT Subcharges 1 and 4, each CBOC member will select/be assigned to one of three subcommittees, each of which would be matched with an AISD Senior Project Manager and his respective assigned projects. Two of the subcommittees would consist of seven (7) members and one subcommittee would consist of eight (8) members. Each Subcommittee would be co-chaired by one of the CBOC Tri-Chairs and one CBOC member. Every CBOC meeting would begin by the members reporting to their subcommittees first. The Senior Project Manager would then have 45 minutes to present an update on all projects assigned to him. The subcommittee would review and evaluate information on all projects and expenditures of bond funds from the Senior Project Manager's (or other AISD staff member's) report/update on the timeliness and progress of the 2004 Bond program based on projects assigned to that Senior Project Manager. The entire CBOC would then assemble as one group and each subcommittee CBOC member co-chair (not the Tri-chair assigned to that subcommittee) of the subcommittee would report to the entire CBOC on any problems or concerns with projects assigned to their Senior Project Manager or with data presented to the subcommittee. The entire CBOC would then address any issues or concerns and take action accordingly. CBOC members' expertise will be considered by the Tri-Chairs in making subcommittee assignments.

If the Senior Project Manager has a project where there is a substantive change in scope or if the subcommittee believes there is a substantive change in scope, details and information about that change in scope would first be heard by the subcommittee. The subcommittee should request that the Senior Project Manager or AISD staff make available any information that the subcommittee believes is necessary to properly evaluate the proposed change in scope. Once all information needed is available, the subcommittee should develop its recommendation on the proposed change and report that recommendation to the entire committee at the first available opportunity. The entire CBOC would then discuss the subcommittee's recommendation and vote on the recommendation. As appropriate, public hearings would be conducted by the entire CBOC as provided for under the section that follows related to subcharges assigned to the entire CBOC.

In general, all reviews and evaluation of projects and their progress will be based on staff reports and updates. Field trips and/or site visits will be limited to no more than two times per year per subcommittee. This means that timeliness, comprehensiveness, and completeness of information presented by staff will be critical. Each subcommittee's evaluation of the Bond Program shall include an evaluation of the timeliness, comprehensiveness, and completeness with which staff provides necessary and requested information.

In this regard, so that the CBOC can fulfill **BOT Subcharge No. 1**, the CBOC will require that staff reports/updates:

- A. Be timely (as defined by the CBOC), on schedule, comprehensive, complete (as defined by the CBOC), and in the format agreed upon between staff and the CBOC.
- B. Include the following information for each project
 1. A summary listing of all items and their budgets included in the 2004 School Bond Program as presented by the CBAC and approved by the BOT
 2. A code/unique item number that provides a direct correlation to the 2004 School Bond Election (August 2004 Update) "Blue Book" and any items not specifically included in the "Blue Book"
 3. Reconciliation (Master List) of Items B.1 and B.2, including CBAC budgets that will serve as the "Bible" and reference list of approved projects for the 2004 School Bond (We may need a separate binder for this "document")
 4. For each item in B.3, a project summary shall be prepared that includes:
 - a. Geographic zone/area, school/location, and affected area within the campus/facility, and Code Number (see Item B.2)
 - b. Purpose/objective and scope of the work per "Blue Book"
 - c. Proposed scope of work (right before work begins)
 - d. Actual scope of work performed (at end/completion of project)
 - e. Item B.3 project budget
 - f. Adjusted (for inflation) budget based on phase schedule

- g. Itemization of construction costs and other project fees and contingencies
- h. Project schedule
- i. Safety items and level of priority
- j. Overcrowding, demographic information and level of priority
- k. Environmental stewardship items
- l. Joint-use opportunities
- m. For land acquisition, assessment conducted for comparative costs and potential risks/liability
- m. Project Manager
- n. Project Task Force (for local sign-offs and communication)
- 5. The procedure (in writing) that will be employed to implement the project from start to completion, if different than standard
- 6. Applicable elements in the construction management process designed to provide quality assurance and quality control for the project
- 7. Any problematic issues anticipated (scope, design, technical, budget, scheduling, etc.)
- 8. A summary report on the progress that is updated monthly and is used to update the full committee and the BOT three times a year.
- D. As program contingency funds are utilized, provide to the 2004 CBOC the reason for the need, the amount and potential that other projects will be similarly impacted.
- E. The standard procedure (in writing) that will be employed to implement all projects from start to completion, depending on the category of project, i.e., new construction, wing addition, renovation, roofing, HVAC (mechanical), multiple categories, etc.
- F. The standard procedure (in writing) that will be required of all contractors to ensure that safe practices on campuses are required and how AISD ensures (regular site safety inspections, etc.) that safe practices are being employed by contractors, inclusive of English-speaking supervisors to provide adequate safety response for contractor personnel.
- G. Staff shall prepare a report of all expenditures/commitments (financial obligations) to date, so that the CBOC may understand all commitments that have been made, when they were made, what CBAC and "Blue Book" approved budget they are from, and to allow for CBOC questions on any expenditures made prior to the existence of the CBOC.

Survey Committee (BOT Subcharges 2 and 3)

This committee will be responsible for overseeing all aspects of surveys developed as part of the 2004 Bond and will coordinate with the 2002 CBOC survey efforts. This committee will address the specific items identified in BOT Subcharges 2 and 3. Additionally the BOT has indicated that key campus stakeholders are not just primary beneficiaries of the bond improvements but parents in the affected school community, architects, engineers and contractors, who work on the projects, tax payers, who vote in bond elections, members of the immediate community impacted by the campus changes, and secondary users of the facility.

Therefore, this committee must clearly define objectives of the surveys, the type of information that needs to be derived from responses, and must survey anyone affected by the bond process or the final product, who may contribute pertinent and valuable information and make the results useful for the intended purposes/objectives. This committee shall work closely with the communications consultant so that useful credible survey results are produced.

Entire CBOC (BOT Subcharges 5, 6, and 7

The Tri-chairs felt that the activities included in Subcharges 5, 6, and 7 would require less frequent work than the other subcharges but still require input from, review by and/or action by the entire CBOC. The manner in which each of the subcharges will be addressed is described below.

BOT Subcharge 5 – Public Hearings on Substantive Proposed Changes to the Voter-Approved Program

Once a substantive change in the voter-approved bond program has been approved by the entire CBOC, staff will work with the CBOC to schedule public hearings on the proposed change(s). All members of the CBOC are asked to attend the public hearings, especially members of the CBOC subcommittee assigned to oversee the project. Based on input from the public hearing the entire CBOC will vote on a recommendation for the proposed change. That recommendation will be forwarded to the Board of Trustees as part of the agenda item to approve the schematic design for the project.

BOT Subcharge 6 - Presentations to the BOT

The Tri-chairs will propose a schedule of meetings of the CBOC, reports to the BOT, and CBOC reports required for the balance of the year. Our first presentation to the BOT is tentatively scheduled for May 23 and will focus on the procedure for accepting and reviewing comments, questions, and compliments of the 2004 Bond Program implementation, CBOC organization, familiarization with the Construction Management Bond Team organization, first-year projects, and change in scope of two projects. The procedure for preparing the presentation to the BOT will be that the Tri-chairs, with the assistance of staff, prepare a draft of the presentation to the BOT. The draft will be submitted to the entire CBOC for review and comment. The presentation will then be finalized.

For future reports to the BOT, the CBOC should

- A. Plan and schedule field trips to a sampling (representative of categories) of project sites to view first hand how the bond implementation process is being carried out in the field,
- B. Receive and review reports/presentations from the HUB program consultant on HUB statistics, and
- C. Work with the Communications Consultant on the communications the CBOC feels is needed.

BOT Subcharge 7 – Annual Report Related to EL-16

This report will be developed from on-going reports and the work of the CBOC during the year. Therefore it will be important, that all comments, reviews, and evaluations prepared by committees and subcommittee be reduced to writing and be clear, specific, and complete. Staff and the Tri-chairs will develop a schedule for preparation of this report. The schedule will allow time for preparation of a draft and review, discussion and comments by the entire CBOC before submission of the report.

Other Organizational Issues

No On-going Field Visits to Project Sites

Staff has informed us that the AISD Area Superintendents prefer that individual CBOC members not visit campuses to review and monitor the 2004 Bond Program unless they are escorted by AISD Construction Management staff. This factor has been considered in developing the approach the CBOC will employ to review and evaluate projects and expenditures of bond funds.

The 2004 CBOC understands the importance of its responsibilities and the magnitude of the task before us. Therefore, to ensure that we have properly scoped our work in response to the BOT charge, it is important to summarize one important point on which the CBOC implementation plan and the organization of work is based. In developing the implementation plan for discharge of our work, the 2004 CBOC understands from BOT Charge 1 that the ongoing review and evaluation of all projects and expenditures of bond funds shall be based solely on information provided by staff at the 8 or 9 meetings of the 2004 CBOC each year. This review and evaluation will typically not include field visits to project sites. Given this fact and the preferences of the Area Superintendents noted above, if on-going field visits to sites during project execution is desired by the BOT to supplement the information presented by staff and provide an independent evaluation of:

- the technical execution (how the work is performed) of project work,
- field management (coordination, scheduling, and supervision) practices,
- quality control and inspections,
- safety practices,
- appropriateness of architectural and engineering designs/solutions and
- expenditures of program contingency

on an equitable basis across the district, the CBOC will require the retention of an architectural/engineering-consulting firm to perform this task on behalf of the CBOC. A consultant would be needed as the time commitment, technical expertise, and scheduling of required work to provide timely and consistent execution of this task across the district on all projects far exceeds the time commitment and aggregate expertise available within the CBOC.

Communication with the 2004 Community Bond Oversight Committee

The public will communicate with members of the CBOC by:

- o Submitting comments to the tri-chairs prior to the meeting who will decide who appears before the entire committee.

- Meeting with tri-chairs, apart from regular meeting, to discuss issues.
- Providing written communication, either through email or U.S. mail, website, state/metro section of the *Austin American Statesman* or through press releases.

To facilitate communication with CBOC members, AISD staff will:

- Post meeting notice in the school news section of the newspaper.
- Provide meeting notice on the website.
- Provide compilation of questions and responses (FAQ's) on website.
- Provide a "Bond Hotline" where questions are received and answered by staff. The committee would receive copies of questions and responses.
- Screen all issues presented for CBOC considerations.
- Provide copies of all communications to tri-chairs.

Community Bond Oversight Committee Procedures and Processes for:

Review and evaluate any proposed changes to the individual project scope of work to the voter-approved 2004 Bond Program.

- A CBOC subcommittee receives all information related to requests for substantive changes in the scope of work. Substantive change would involve:
 - Significant modification in scope to a program element
 - Substantive change to the intent of the program element
 - Functional Equity allocations will not constitute a substantive change
- The subcommittee then:
 - Meets with campus administrator, senior project manager, project manager and architects and construction manager (if applicable).
 - Discusses and analyzes the need and justification for the proposed changes.
 - Presents a recommendation to the CBOC for a decision on whether the proposed changes are substantive.
- If the CBOC determines the proposed changes to be substantive, the entire CBOC receives all information related to the change of scope requests. The committee then:
 - Meets with campus administrator, senior project manager, project manager and architects and construction manager (if applicable).
 - Discusses and analyzes the need and justification for the proposed changes.
 - Decides to conduct or not conduct a public hearing that will be held at the subject campus to review substantive changes.
- AISD Construction Management staff will include a public hearing notice in the *Austin American Statesman* 14 days prior to the date of the hearing.
- The CBOC conducts a public hearing at the subject campus to review any substantive changes with the public and invites public comment regarding the changes.
- The CBOC reviews the comments and formulates a recommendation on the requested changes and forwards its recommendation to the Board of Trustees as part of the agenda item to approve the schematic design for the project.

After discussion of the proposal, the CBOC unanimously approved a motion to adopt the proposal developed by the tri-chairs. Members selected subcommittees at the end of the meeting and requested that staff provide names of campuses in the different district regions to facilitate their subcommittee choices.

IV. Campus and Districtwide Requests for Project Scope of Work Changes

Zilker Elementary School

- Scope of Work Change Request - Construction of Addition to Cafeteria In Lieu of Construction of Bus Loop Drop-Off at Front of School
- The scope change will require an approximately \$80,000 budget augmentation from contingency funds for the proposed improvements.
- As stated above, Community Bond Oversight Committee Procedures and Processes for review and evaluation of any proposed changes to the individual project scope of work to the voter-approved 2004 Bond Program, after receipt of the scope of work change request, the CBOC must decide to conduct a public hearing at the subject campus to review any substantive changes with the public and invite public comment regarding the changes.
- After a lengthy discussion of the request, the CBOC asked staff to schedule a public hearing at Zilker Elementary School to receive public comment regarding the scope of change request.
- Some of the major discussion topics are included below:
 - Cafeteria expansion doesn't increase the amount of impervious cover as much as the construction of a bus loop.
 - Early lunch periods caused by the limited size of the cafeteria are not unique to Zilker. Elementary schools throughout Southwest Austin are in a similar situation.
 - The bus loop was included as a Safety Task Force recommendation.
 - A concern was raised if additional contingency would be needed to accomplish the work, would it cause the project to go over budget. The project manager stated that the preliminary cost estimate indicated that the project is somewhat under budget, and each project has its own contingency.
 - Several members raised the concern of using program contingency too early in the program, which could result in insufficient funding for later projects.
 - Another member stated that the contingency provides a method to ensure that the District delivers what was promised and was not intended to fund extra items and that the 2004 Bond Program contingency could be negatively impacted by the prevailing wage requirements.
 - Another member suggested that requests, such as this one, be put in a parking lot to be accumulated over the next three years to identify needs trends. These additional requests would be prioritized at the end of the program and addressed with any remaining funds. This method would ensure equity throughout the district.

- Another member felt the cost was minimal and there was no need to wait three years to fix the problem.
- Because both the cafeteria expansion and the bus loop addition are safety issues, it must go to a public hearing.
- A 21% student transfer rate indicates that Zilker is doing an exemplary job and will probably attract even more students in the future.
- Another member suggested that we look at numbers in nearby schools to see if other schools can accommodate these students.
- If student transfers were frozen, would this issue still exist?
- Another member stated that the early lunch is not an instructionally sound practice because of its effect on student performance thus causing inequities in education available to students.
- Members inquired if campus was willing to concede other scope item to accomplish the cafeteria expansion.

AISD Athletics Department and City of Austin PARD

- There was insufficient time to discuss this item in the meeting. It will be scheduled for discussion at the May 24, 2005, meeting.

V. Accelerated Safety and Security Projects Funded through a Reimbursement Resolution

- There was insufficient time to discuss this item in the meeting.

VI. Agenda Items for Next Meeting

- Joint-Use Projects Update – AISD Athletics Department and City of Austin PARD
- Subcommittee Assignments and Update Meetings
- Project Reports
- CBOC Report to the Board of Trustees