

**Santa Monica-Malibu Unified School District
Board Committee
Measure BB Advisory Committee Meeting**

**Approved Minutes
Monday January 7, 2008
Time: 4:00-6:00 pm**

Location: Board Room, District Office
1651 16th Street, Santa Monica, CA 90404

I. Call to Order- Co Chair Gleam Davis

II. Approval of Minutes: **Laura Rosenthal** moved, **Dennis Crane** seconded; all members present approved the minutes of the December 10, 2007, meeting. [**Laura Rosenthal** asked for clarification on a comment.]

III. Action Item

a. Design Review Policy: **Tom Tomeoni** reviewed the Power Point slides. **Laura Rosenthal** motioned; **Don Girard** seconded, that the MBBAC recommend the Design Review Policy to the BOE.

The motion was approved by the Committee members present.

b. Scope and Budget Control Policy: **Tom** reviewed the Power Point slides. **Dennis Crane** motioned; **Bob Stallings** seconded, that the MBBAC recommend the Scope and Budget Control Policy to the BOE.

The motion was approved by the Committee members present.

c. Sustainability Implementation Plan: [This topic will be rescheduled for discussion at the next MBBAC meeting.]

d. Increased Construction Budget Available: **Jan Maez** reviewed the Power Point slides. **Larry Gray** asked what percentage is the escalation and market factor. **Tom** explained that the combined total percentage is 8 ½ %; 4% for escalation and 4 ½ % for market factor. **Tom** said that the additional unallocated funds are included in the cash flow projection.

Laura Rosenthal questioned the technology aspect as it relates to the \$62 million in unallocated funds. **Judith Meister** noted that the soft costs seemed low at approximately 24%. **Tom** explained that given the 6 year program, the architecture portion of the soft costs are at about 9 – 10%. **Judith** asked if it was feasible that all of the projects could be completed in a 6 year time frame. **Tom** answered that it is feasible, if the District is forthcoming with timely decisions. **Dave Reznick** asked about the land acquisition at Edison at \$1.5 million. **Craig** asked about reference to a second parcel. It was explained that the two lots are roughly ½ acre in size, and the cost is \$3 million. **Laura Rosenthal** asked about the zoning of the property and **Don Girard** answered that it is zoned R4.

Dennis asked about the \$4 million for technology discussed at the last MBBAC meeting. **Tom** stated that the additional \$4 million was not received well. He indicated that \$10 million may be too low for a realistic budget for technology, and said that the estimators are working now to complete the project estimates. **Larry** asked what percentage of contingency was applied to each project. **Tom** stated that a 10% estimator's contingency was applied. **Jan** noted that the individual contingency allocations were included in each budget bottom line.

Gleam asked what action is needed. **Dave** commented that it seemed that the unallocated funds

should be approved first. **Judith** mentioned that for the redevelopment COPs, a BOE action would be required. **Craig** suggested that there are four parts to a potential action; the developer fees allocation, the redevelopment fees, bond interest, and acceleration to six years. **Barbara Stinchfield** voiced concern whether the contingency amounts are adequate.

Gleam indicated that the motion is that the MBBAC recommend to the BOE that the four items be recommended to the BOE.

Laura Rosenthal motioned; **Dennis Crane** seconded.

Larry asked about the schedule and the six year plan and the cost savings aspect of the recommendation. **Craig** said that there are decision points that need to be met to achieve that savings. **Larry** asked if the six year plan didn't work out, how would that affect the budget. **Tom** indicated that the difference is embedded in the escalation.

Discussion:

Dave asked when the BOE would act on the recommendation. **Diane Talarico** stated that it was on the agenda for the next BOE meeting on January 17, 2008.

The motion was approved by the Committee members present.

e. Measure BB Program, unallocated construction budget: **Tom** indicated that this item is to identify the allocation of the \$62 million of funding not already committed to specific projects. **Dave** asked for a review of the original staff recommendation. **Dianne** stated that there was priority given to the secondary schools, emphasizing grades 6 – 12. She indicated that art science labs were lacking and that the media centers were lacking. She stated that the voters were promised that there would be work to improve health and safety issues. She stated that the difference is that there is now additional allocation to Samohi, and Edison. **Barbara** clarified that the \$42 million of unallocated funds would be required to fully fund the three Middle School projects. **Gleam** stated that it would be \$14 million for Malibu MS, \$12 million for JAMS, \$16 million for Lincoln MS. **Jan** handed out a detail of the budget [See Attachments], and it was discussed.

Public Comment:

Robbie Staenberg: Lincoln MS, 6th grade. He stated that the changes for the project in Measure BB would affect him and the community. He said that Lincoln MS is a great school, and that all schools should receive their fair share.

Will Wolf: Lincoln MS, 8th grade. He stated that all schools need money. He stated that the MBBAC should tour all campuses before making decisions. He said that Lincoln MS is a great school, but the track and field has issues and needs renovation.

Eric Moe: Lincoln MS, Advisor to the ASB. He indicated that the students were at the meeting to become more involved. He stated that the students and teachers want to see the process.

Chase Beech: Lincoln MS, 8th grade. He stated that Lincoln MS is a great school. He invited the MBBAC to come to the site and see it. He stated that it has problems; no restrooms in the Red Core area, and the West Wing has crowding issues. He stated that they would like to have synthetic turf, which would provide a great area for the community as well.

Nick Kennerly: Lincoln MS, 7th Grade. He said that the MBBAC needs to tour all schools before they decide. He stated that all schools need money for projects, and each site should be looked at closely.

Dana Ritchie: Lincoln MS, 8th Grade. She stated that the West Wing is crowded and that the track and field floods and needs work. She stated that a Jog-A-Thon had to be postponed due to this issue. She asked that the Committee see all the sites before they make the decisions.

Jon Kean: Roosevelt ES PTA President. He discussed the decision to allocate additional funds to Samohi. He stated that all schools need funds. He stated that before the Committee reduce the budgets to the ES, think that all of the students in the District begin their education at the ES level. He asked that the process not leave parents out of the decision making. He stated that all schools need to be visited before decisions are made about the funding.

Sandy Thacker: Malibu HS. She thanked the Measure BB Committee, and stated that the voters will be voting on Measure R (Parcel Tax Initiative), and that they want to see that the funds for the bond measures are used in accordance with their intended purpose, according to the measure language. She discussed the removal of the relocatables at Malibu HS.

Debbie Mulvaney: She asked that the MBBAC not allocate funding to the sites until the Committee had visited each site. She said that in so doing, the Committee would be making an informed decision. She stated that by putting the emphasis on the secondary schools, the ES will not receive funding.

Richard Bencivengo: He stated that there needs to be an allocation of funding to each site, and that the projects would need to design to the budget. He thanked the MBBAC.

Paula Goldman: She stated that with the Measure R initiative coming, the process with Measure BB needs to be above board. She stated that the MBBAC needs to visit each site, and have an even hand when allocating each site. She said that each site needs to have respect shown for its needs.

Tristan Komlos, Principal, Lincoln MS: Asked the Committee to support the teachers and student of the schools. She said that the Committee should visit all of the sites before making decisions.

Jon Axel, parent: He stated that the MBBAC should consider the questions of the 6 or 8 year plan and come to an understanding of the recommendations of the parents and architects, and review them fully. He stated that this process is critical.

Abby Adams, Lincoln MS and Franklin ES parent: She stated that she has addressed the MBBAC previously, and that the Committee should view the sites before allocating the funding. She invited that the BOE and the MBBAC both view the sites first.

Lynn Leavitt, Lincoln MS PTA President: She stated that the MBBAC should visit the sites before making decisions about the allocations. She stated that the scopes were in flux and asked that the Committee leave their options open. She stated that this project will leave a lasting footprint on the schools.

Colleen Baum: She asked the MBBAC to restore the funding to the Malibu MS. She stated that there was no discussion in the minutes of the MBBAC that she reviewed about ways to achieve the goals of the Measure BB. She discussed the recommendation to put off the allocation of the funding and the focus on the secondary schools. She stated that there are people in the room (District Staff) that are knowledgeable of the sites and should not be second-guessed. She wondered about the motivation to take the funding away from Malibu MS.

Dianne reminded the Committee that a former Superintendent of the District hired consultants to determine facilities needs in the District at a cost of \$1.5 million. The findings of the consultants were that there was in excess of \$1 billion in work needed. She indicated that the findings of the consultants need to be carried on in the process. **Chris Harding** discussed his history of activity in civic affairs and stated that process is not valuable if it is cut off before broad participation. He mentioned that he is very familiar with the conditions at Samohi, and that he was interested to see the facilities at Lincoln MS and JAMS. He stated that those tours brought more knowledge than just reading the FMP.

Laura Rosenthal spoke about the knowledge of the staff and the base of information they have and what is needed. She stated that it would be a mistake to stop the process of allocation of the

funding. She discussed the MBBAC meeting on October 15, 2007, and the outcome of that meeting, changing staff recommended allocations of funds. She said that she believes that Malibu MS, Lincoln MS and JAMS needs the allocation of funds now. **Elaine Rene-Weissman** suggested that the Committee not select certain projects against the staff recommendations. She discussed the allocation of \$42 million to the middle schools and the allocation of \$20 million remaining plus the State matching funding to the ES.

Craig said that the architectural planning process is going forward through the preliminary planning, and that the MBBAC should go forward with a rational method in the next months to meet objectives, with out committing to the MS and the possibility of over-committing of the funding. He talked about waiting until spring and the availability of more information at that time. **Larry** discussed the allocation of the remaining \$62 million, and indicated that he thought that the MS should get an allocation of the funds. **Barbara** discussed the allocation of funds now and the situation with public construction funds. She stated that she did not want to allocate additional funding now.

Elaine stated that she was unclear why any funding was allocated at all with the stated reservations for allocating remaining funds. **Gleam** explained to the Committee her position as co-Chair and the need to allocate some funding or lose \$1 million a month. **Judith** stated that the Bond Measure was passed prior to the finalization of the FMP. She discussed the attaching of funds to specific projects prior to the finalization of the programming and schematic design of the schools. She stated that the \$62 million is not a hard number, and that the BOE must approve that funding. She indicated that more information will be forthcoming with the schematic design phase and the work of the estimators. **Dave** discussed the work of the staff and HED and the FMP process. He stated that it is important to address all of the schools. He stated that issues will arise later, but don't wait to allocate the funds. He stated that the decision in October was uninformed with some conditions not understood at Malibu. He asked the Committee to allocate the \$42 million [to the middle schools] now and not wait.

Craig discussed the allocation process and the incumbent need to do the right thing regardless. He stated his agreement that secondary schools should be a priority. He discussed allocating \$42 million now and having only \$20 million unallocated for future issues. He stated that he does not advocate over-committing the funds. **Laura Rosenthal** stated not allocating the funds now is a red herring. She asked that millions of dollars not be held in reserve for potential future issues. She discussed the situation at Malibu HS and MS and that they are being treated as one budget and line item, but they are two schools. She asked the Committee to allocate the funds at today's MBBAC meeting.

Don stated that he had voted in October to recommend against staff recommendation and that he was staff at Santa Monica College. He stated that the Committee must trust staff recommendations. He discussed the situation with Malibu HS/MS and the complexity of dividing the schools. **Barbara** asked about the impact of not constructing the MS wing at Malibu and the proximity of the schools to each other.

Chris asked about an inventory of each site's health and safety issues. **Jan** indicated that each site committee will provide such information. **Chris** stated that each site will receive funding for health and safety issues. **Laura Rosenthal** indicated that the budget for fire and life safety is \$10 million. **Jan** discussed the legal opinion of the Bond language. **Chris** discussed the budgets for each site and their reliability. He stated that the District had made budgets irrespective of reality. He stated that his visit to Malibu HS/MS was helpful. He stated that it made sense to make fair allocations to the sites, and that there is a credibility issue involved.

Laura Rosenthal motioned that \$42 million of unallocated funds be allocated to three middle schools; Malibu MS, Lincoln MS, and JAMS. **Elaine** seconded the motion.

Dave reminded the Committee that in October additional funds were allocated to Samohi.

Gleam asked why in Proposition X work all of the projects were not completed. **Dennis** indicated that there were scope and budget issues. He stated that there was a situation where the scope

was reduced to match the budget. **Dave** discussed that there was additional state matching funds added to Proposition X original amount. **Gleam** asked why the projects were not completed. **Wally** discussed Proposition X and that the District obtained matching funds on a 50/50 basis. He stated the history of the situation with Proposition X.

Dennis proposed a substitute motion to support and recommend middle schools as a priority, but determine allocations after the completion of the schematic design phase. **Barbara** seconded the substitute motion. [A discussion ensued about the Roberts Rules of Order and the placement of the substitute motion before the previous motion. The substitute motion, if passed, would supersede the original motion, and if failed, would revert to the original motion for a vote.]

Don asked when the completion of the schematic design phase would be. **Tom** indicated that the original plan was for June to have the schematic design phase completed. **Tom** stated that issues related to Samohi may delay completion of schematic design until September. **Craig** indicated that it was best to keep to the original schedule and have better decisions in June to avert speculation.

The substitute motion was called to vote.

Committee members voted on the motion as follows:

Yes:

Chris Harding
Judith Meister
Barbara Stinchfield
Dennis Crane
David Kaplan
Gleam Davis
Craig Hamilton

No:

Dave Reznick
Larry Gray
Don Girard
Bob Stallings
Laura Rosenthal
Elaine Rene-Weissman

Abstain:

Laura Rosenbaum

The substitute motion was approved by the Committee members present.

- IV. Discussion Items (none)**
- V. Information: (none)**
- VI. Public Comment (none)**
- VII. Standing Reports (none)**
- VIII. Possible Future Agenda Items (none)**

Adjourned at 6:00 pm.

NEXT MEETING: 2/4/08

Attendance:

Measure BB Advisory Committee Members:

Craig Hamilton, Co-Chair
Gleam Davis, Co-Chair
Dennis Crane
David Reznick
Barbara Stinchfield, City of SM
Karen Ginsberg, City of SM Alternate
Bob Stallings, City of Malibu
Don Girard, SMC
Chris Harding
Laura Rosenthal
Laura Rosenbaum
Ted Bardacke (unable to attend)
Elaine Rene-Weissman
Larry Gray
Judith Meister
William Jepson (unable to attend)
David Kaplan

Board Liaisons:

Kathy Wisnicki, Board Liaison (not present)
Ralph Mechur, Board Liaison

SMMCCTA Liaison:

Harry Keiley (not present)
Sarah Braff (not present)

SMMUSD Staff:

Dianne Talarico, Superintendent
Tim Walker, Asst. Superintendent
Mike Matthews, Asst. Superintendent
Janece Maez, CFO and Asst. Superintendent
Virginia Hyatt, Director of Procurement, Contracts, Construction Management
Wally Berriman, Director of Facilities/ Director on Special Assignment

District Consultants:

Michael Hill, Joint/Shared Use and School/Community Engagement Consultant

Parsons / CCM:

Tom Tomeoni, Program Manager
Julia Hawkinson, Deputy Program Manager
Larry Fugal, Deputy Program Manager

Attachments:

October 18, 2008 Project Descriptions and Budgets