

**Malibu Unification Committee
Pre-Negotiations Follow-up Meeting Minutes
Tuesday, March 29, 2016
Malibu City Hall
23825 Stuart Ranch Road, Malibu, CA**

- I. Call to Order / Roll Call
 - *The committee called the meeting to order at 7:03pm. All committee members were present:*

<i>Tom Larmore</i>	<i>Laura Rosenthal</i>
<i>Debbie Mulvaney</i>	<i>Kevin Shenkman</i>
<i>Paul Silvern</i>	<i>Manel Sweetmore</i>
 - *The Committee's Facilitator, Karen Orlansky, was also present.*
- II. Approve 3/16/16 Meeting Minutes
 - *The Committee voted 6/0 to approve the 3/16/16 meeting minutes.*
- III. Common Ground Rules for Negotiations Process
 - *The Committee held a worksession on a draft of Ground Rules for the Malibu Unification Committee and a draft of the Role of the Facilitator for the Malibu Unification Committee. The draft documents were prepared in advance by Ms. Orlansky and provided to the Committee at the meeting.*
 - *Based on the Committee's discussion and decisions, Ms. Orlansky will prepare a revised version of the ground rules and the role of the facilitator to be approved by the Committee at the next meeting.*
 - *As part of this agenda item, Committee members identified aspects of their respective backgrounds, skill sets, and perspectives that would assist the Committee to be successful; these included:*

- <i>Historical perspective</i>	- <i>Good problem solver</i>
- <i>Experience resolving disputes</i>	- <i>Open-minded</i>
- <i>Parent perspective</i>	- <i>Respectful</i>
- <i>Analytical skills</i>	- <i>A win/win mindset</i>
- <i>Good listening skills</i>	- <i>A positive attitude</i>
- <i>Creative problem solving skills</i>	- <i>An understanding of government</i>
- IV. Revised Agreement for Payment of Consultant Fees
 - *The Committee reviewed a revised version of the Agreement for Payment of Consultant Fees that had been collaboratively developed and agreed to by Mr. Shenkman and Mr. Larmore. (Attachment A is the copy of the Agreement distributed at the meeting, dated March 29, 2016.)*
 - *Committee members unanimously agreed to recommend that the Superintendent and AMPS sign the March 29, 2016 version of the Agreement.*

- *Committee members also unanimously agreed that they would “move ahead” with the work of the Committee on the assumption that this Agreement will be signed.*

V. Retention of Education/Financial Consultant

- *Mr. Silvern and Mr. Sweetmore provided a status report on their preliminary interactions with contacts from both School Services of California and Capital Advisors. Following a brief discussion, the Committee agreed that both firms should be asked to submit a proposal.*
- *At Mr. Silvern’s suggestion, the Committee then discussed the anticipated scope of services from an education/financial consultant that would form the general basis for proposals from both firms. The following list of potential services evolved from the Committee’s discussion:*
 1. *An overview of the Santa Monica-Malibu Unified School District (SMMUSD)’s budget, including its structure, its different revenue sources, and an explanation of the District’s flow of funds.*
 2. *A review of the major reports and financial analysis completed to date related to the proposed separation of the Santa Monica-Malibu Unified School District SMMUSD into two unified school districts, the Santa Monica Unified School District (SMUSD) and the Malibu Unified School District (MUSD). At minimum, this includes four previously prepared documents: the WestEd/Malibu forecast; the SMMUSD and SMUSD forecast; the Financial Oversight Committee’s July 2015 memorandum to the Board of Education; and the Financial Oversight Committee’s November 2015 update.*
 3. *The scope of the consultant’s review of these documents would focus on examining the revenue assumptions in the respective analyses, including the “math” behind calculating the minimum State aid amounts. While the primary focus would be on the revenue side, the consultant’s review should also identify any major changes in expenditures or potential opportunities for cost savings related to the structural change from one to two school districts.*
 4. *Assistance with the development of a multi-year model for projecting alternative revenue scenarios based upon changes in key budget-drivers, such as the State aid formula.*
 5. *Assistance with developing options for “solving the problem” and identifying the pros and cons of each option. For purposes of this scope of services, the “problem” is defined as: how to minimize the difference in revenue per student in SMMUSD (if the governance structure remains the same) vs. revenue per student in a Santa Monica only district.*

VI. Retention of Legal Consultant

- *Mr. Shenkman reported back to the Committee that Procopio’s reference checks had yielded positive reviews.*
- *The Committee unanimously decided to move ahead with obtaining a retention agreement from Procopio, and designated Mr. Shenkman to be in contact with Procopio on this next step. Mr. Shenkman and Mr. Larmore agreed to work together to review language in a proposed retention agreement.*

VII. Discussion re: CEQA Issues

- The Committee briefly discussed how the creation of a Malibu Unified School District is considered a “project” that is subject to the California Environmental Quality Act (CEQA). In sum this statute that requires state and local agencies identify the significant environmental impacts of their actions and to avoid or mitigate those impacts, if feasible.
- The Committee identified some questions that will need to be addressed regarding CEQA, including to what extent the Committee’s portfolio of issues should include looking at the impact of CEQA and the need to understand more about indemnification.

VIII. Public Comments

- *No one from the public requested to provide comments.*

IX. Topics for Next Agenda

- *In addition to follow-ups from the March 29th meeting, the Committee agreed to allocate time on their April 5th agenda for a worksession on a Committee’s Work Plan. Mr. Silvern and Mr. Larmore offered to prepare a document to serve as the basis for this agenda item.*

X. Adjournment

- *The committee adjourned the meeting at 9:40 pm.*

Upcoming Meeting Dates:

- *Tues., April 5 at the SMMUSD district office*
- *Thurs., April 14 at Malibu City Hall*
- *Tues., April 19 at SMMUSD district office*

Attachment: Agreement for Payment of Consultants, March 29, 2016