

Citizens' Oversight Committee
Meeting Minutes
September 20, 2016 – 5:00 p.m.
District Office
2490 Hilborn Road
Fairfield, CA 94534

A meeting of the Fairfield-Suisun Unified School District Citizens' Measure J Oversight Committee was held at the District Office, Room 324.

CALL TO ORDER

Ms. Van Gundy called the meeting to order at 5:05 p.m.

Members in attendance: Nicole Mallari, Jana Modena, Barbara Pisching, LeRoy Purvis, Rochelle Sherlock, Robert C. Thomas, Sr., Rick Wood

Absent: Excused, Chuck Wood

District Administration in attendance: Kim Van Gundy, Director, Facilities & Construction; Rachel Dula, Facilities Planner; Michelle Henson, Assistant Superintendent, Business Services; Sheila McCabe, Executive Director, Administrative Services and Community Engagement

WELCOME AND INTRODUCTIONS

Ms. Van Gundy provided structure and overview for the meeting. Each committee member and the public speakers introduced themselves.

REVIEW BOARD APPROVED BYLAWS

Ms. Van Gundy reviewed the Board approved Bylaws. If the Committee decides to make changes, it will need to be approved by the Board. Mr. Wood provided a clarification regarding the length of the terms. The Committee decides which three members will serve the initial two year term, with the remaining members serving the three year term.

Ms. Pisching asked about the methods of communicating with the public. Ms. Van Gundy explained the Committee has a District website. In addition, the Committee is able to create press releases and decide on other methods of informing the public. The Vice Chair is responsible for gathering all communication. Mr. Wood explained the reporting of expenditures that were created in Measure C.

Bylaws indicate that the committee must meet at least once per year. The structure given to the Board for this Committee is to meet every other month.

Ms. Sherlock inquired about the decision making process. Ms. Van Gundy explained that this is an oversight committee rather than an advisory committee. Also, the Committee comes to opinions and decisions together during the meetings in a respectful manner. Mr. Wood further explained that the Committee votes on decisions and these votes are recorded in the minutes.

Ms. Pisching inquired about whether or not Measure J funds were being use to fund the District support as outlined in the Bylaws. Measure J funds are not going towards the District support or any administrative salaries.

Should the committee find questionable expenditures, Mr. Purvis wanted to know the method of resolving this matter. The District will provide the information and research necessary for the Committee to make the appropriate decision. The bond fund is audited annually and the auditor will come speak to the Committee. If the Committee has ideas regarding more cost efficient means of completing a project, the Committee or individual can request staff to include the specific item on the agenda. The Committee can then inform the public of their opinion, include the opinion in their Annual Report, and/or bring a report to the Governing Board.

BROWN ACT PROVISIONS/RESTRICTIONS

Ms. Van Gundy overviewed the Brown Act guidelines. Meetings are posted in advance and there must be a quorum for the meeting to be held. Serial meetings must be avoided. Since email notifications to the entire Committee can easily become a serial meeting, all members will be blind-copied on email notifications. The body of the email will indicate the recipients of the email. This will avoid the common mistake of replying-all to an email and creating a serial meeting.

ELECTION OF OFFICERS

The Chair is responsible for leading the meeting and providing assistance in creating consensus among the members. The Vice Chair fulfills this function when the Chair is absent. The Secretary gathers all communication and signs the approved minutes.

Ms. Modena motioned to elect the officers. Ms. Pisching seconded and all voted aye. Ms. Modena motioned to elect Mr. Rick Wood as Chair. Ms. Mallari seconded all voted aye. Mr. Wood motioned that the term for Chair be a one-year term. Ms. Pisching seconded and all voted aye. Ms. Modena motioned to volunteer as Vice Chair. Ms. Pisching seconded and all voted aye. Mr. Wood motioned that the Vice Chair also be a one-year term. Ms. Modena seconded and all voted aye.

Since the approved Bylaws do not state that there shall be a Secretary, Ms. Van Gundy will clarify with legal counsel if the Committee may have a Secretary. If not, the Vice Chair will fulfill this role.

PROJECT LABOR AGREEMENT (PLA)

Ms. Van Gundy provided a brief definition from the handout provided in the agenda packet. The basic summary provided was that a PLA requires that a contractor be part of the agreement in order to bid on District projects. Ms. Van Gundy further explained that the District has a prequalification program that follows the Department of Industrial

Relations guidelines. The Governing Board has scheduled four special meetings to research a PLA. The Committee has been asked to provide their opinion to the Governing Board at the fourth meeting, which will be held on Wednesday, October 26, 2016. The Committee can decide to have an individual or the entire Committee present the opinion. The Governing Board will potentially take action on November 10, 2016.

Three public speakers were present to speak on the PLA agenda item. Richard Markuson of the Pacific Advocacy Group, Mike Flynn a local contractor, and Eric Christen, Executive Director of the Coalition for Fair Employment in Construction. All three speakers had three minutes to speak and all three opposed a PLA.

The Committee had a discussion on their method for gathering information to present to the Governing Board. Each member offered his/her opinion. The general opinions were that the members could attend all the Governing Board meetings and conduct individual research prior to the deadline of providing their opinion to the Board. Another option was to have a meeting in which they gather information on a PLA.

Ms. Modena made a motion to have a meeting to come to a consensus on a PLA. Mr. Thomas seconded. Ms. Pisching and Ms. Sherlock opposed. The motion passed.

The Committee discussed the structure for this meeting. Concerns included the need to have neutral information, the ability to control the meeting and limit public comment, the desire to ask questions, and the time to deliberate. Ms. Sherlock made a motion for the following structure: District staff to provide neutral information on the prequalification program for five minutes; a pro-PLA presentation for 15 minutes followed by a 10 minute question and answer session; an opposition PLA presentation for 15 minutes followed by a 10 minute question and answer session; public comment that is limited to 30 minutes; and Committee deliberation. All presentations will be provided to the Committee ahead of time. The meeting will be held at 5pm on October 18, 2016, at the District Office. Mr. Purvis seconded the motion and all voted aye.

At the request of the Committee, Ms. Van Gundy will contact one of the public speakers that were present at the meeting to invite back for the opposition presentation. Ms. Van Gundy will also invite the president of the Solano-Napa Building Trade Council for the pro-PLA presentation.

FUTURE MEETINGS AND LOCATIONS

The Committee discussed meeting on Mondays at 5pm every other month at various sites in the District, with the District Office as the home location. Staff will bring back a list of dates for potential approval at the next meeting.

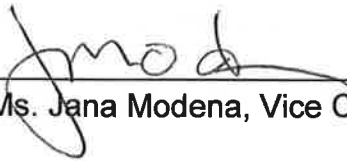
FUTURE AGENDA ITEMS:

The Committee made the following requests for the next meeting:

1. Prequalification program information
2. Meeting dates

Ms. Sherlock made the motion to adjourn the meeting. Ms. Modena seconded and all voted aye.

The meeting adjourned at 7:40 p.m.

Approved:  _____
Ms. Jana Modena, Vice Chair