

COMMUNITY BOND OVERSIGHT COMMITTEE
November 29, 2011, Meeting Summary

Committee Members in

Attendance

Willis Adams
Nan Clayton
Ashton Cumberbatch
Janet Dewey
Shelda Grant
Staley Gray
Jackie Hawkins
Lawrence Huang
Bobby Jenkins
Mary Ann Neely
Jim Recek
Steve Rogers
Robert Thomas
Jeff Walker
Kennard Wright
Peck Young
Ricardo Zavala

Absent Members

Margarito Aranda
Cari Clark
Rashaanne Lewis
Beverly Mendez
Sarah Price
Dale Sump
Arthur Turner

Staff Members in

Attendance

Randy Baldwin
Norman Barker
Lawrence Fryer
Pat Rossett
Curt Shaw
Paul Turner
Idella Wilson

Others in Attendance

Joey Crumley, AISD Strategic Planning
Supervisor
Laura Kunz-Hahn, Texas

Agenda

- I. Call to Order, Approval of Minutes, & Review of Materials
 - II. Citizens' Communication
 - III. Approval of CBOC Bylaws
 - IV. Facility Master Plan Framework Update
 - V. Bond Projects Overview & Possible FMP Projects
 - VI. HUB Report
 - VII. Discussion of Draft Projects for Possible Program Contingency
 - VIII. Discussion of December Site Tour
 - IX. Updates & Agenda Items for Next Meeting
- I. Call to Order, Approval of Minutes, & Review of Materials

Bobby Jenkins called the meeting to order. He invited questions and modifications to the agenda from other CBOC members. He then

reviewed the materials provided for the meeting. Because there was not a quorum during this time, the approval of the September 27, 2011, and October 18, 2011, minutes did not take place.

II. Citizens Communication

There were no speakers.

III. Facility Master Plan Framework Update

Paul Turner provided an update to the committee on the Facility Master Plan Framework, which was approved by the Board on November 21st. Members received a copy of the framework in their materials.

- Mr. Turner explained that the Executive Summary gave a brief overview of the framework.
- Part II was the actual framework. He noted that there had been some changes as per Board requests since the CBOC had last reviewed it.
- One of the additions was a section relating to site selection. This section outlined ways in which the District collaborates with the City of Austin and other public entities when sites are being selected.
- Mr. Turner also reviewed the steps for data verification by campuses.
- He noted that the community engagement schedule included the establishment of a Capital Improvements and Bond Planning Advisory Committee, which will assess the need for a future bond program.
- Mr. Turner stated that the latest demographic report shows the District growing at a rate of 1,000 students per year, which indicates a growth of 10,000 students over the next ten years.
- A member asked if the District was looking at possible bond elections by other public entities, such as the city and county. Another member asked if the Chamber of Commerce facilitated or coordinated information among entities. A third member noted that previous citizens' committees had recommended that the District go out for a bond election every five years in order to meet the growth and educational needs of the District.
- Mr. Turner explained that there was a Joint Subcommittee that included representation from the AISD Board of Trustees, County Commissioners, and the City Council. The timing of bond programs is discussed at these meetings.
- A member noted that, generally, a survey is taken to determine the public's inclination to support bond programs.
- Another member asked how to access the amended Facility Master Plan. Mr. Turner said that it is available on the District's website and that a link will be emailed to members.
- A member noted the importance of transparency to the public.

When a quorum was present, September 27, 2011, and October 18, 2011, minutes were approved.

IV. Approval of CBOC Bylaws

As requested, Joey Crumley, AISD Strategic Planning Supervisor, who is in charge of the development of district committee bylaws, was present to provide background information and answer member questions relating to the committee's bylaws. Mr. Crumley provided the committee with a copy of the Board policy adopted in June.

- He stated that for a year the Board discussed the issues related to task forces and committees.
- It determined that the District needed more structure and uniformity to its task forces, committees, and advisory bodies.
- The policy was developed to assist these groups to conduct business in a transparent fashion.
- Mr. Crumley explained that while there was an attempt to standardize the bylaws and charters of the various groups, the Board was not trying to homogenize them. Each still has its unique function.
- He noted that the policy was patterned after one used by the City of Austin.
- He also explained that depending on the type of entity, there is a different level of detail. A standing committee will have more structure than a committee that is convened for a limited duration.
- However, there are certain components that all group charters or bylaws will have, such as, authority, how it was established (by Board, Superintendent, or statutory law), code of conduct, and number of members to constitute a quorum.
- Mr. Crumley noted that he is currently working on standardizing the websites for the groups in order to make it easier for citizens to find information.
- A member stated that AISD is the only public entity that does not allow for dialogue with citizens.
- Mr. Crumley stated that this policy had been decided by the Board and any changes would have to be made by the Board.
- Another member noted that if a change was desired, it could be presented to the Board.
- A member expressed concern that the policy provides a process but not transparency.
- Mr. Crumley explained that the policy does not preclude the committee from examining other issues that are presented through the citizens' communication; it simply allows for the committee to proceed with the issues published in the current agenda. The idea is to provide a structure in which the business with which the CBOC is charged can proceed. Issues may easily be placed on future agendas.
- A member pointed out that this is what the CBOC did when it dealt with the Anderson dance facility question.

- Another member asked if the bylaws would be accessible to the public. Mr. Crumley said they would be available on the AISD website.
- A member asked if other District committees and task forces have passed their bylaws. Mr. Crumley stated that most already had and that Board policy required the approval to take place.
- Another member asked if the CBOC could change how it engages the public.
- There was a discussion on transparency and the Open Meeting Act.
- A member stated that the CBOC has a flexible approach to setting its agenda that allows new issues to be addressed.
- Another member asked for a definition of the phrase “undue advantage” found in Article V, Section 5.
- Mr. Crumley explained that Articles 4, 5, and 6 had been drafted by the District’s General Counsel and the question would have to be posed to him.
- Another member expressed the desire that the “undue advantage” language be made more precise.

At this time the committee determined to delay a vote on the bylaws and made the following requests:

1. Open Meetings Act: If something is not on the posted agenda, can it be placed on the agenda for discussion or action if the public has not been notified? What are the legal parameters? Would this be a violation of the Open Meetings Act?
2. Article V, Section Five: Undue Advantage. Members felt this section was not clear and requested that it be clarified. Members felt it was written in such a manner that it could be interpreted in several ways. A request was made to ask the General Counsel for an interpretation or that it be rewritten in a more precise fashion.

V. Bond Projects Overview & Possible FMP Projects

Curt Shaw provided a brief projects review in lieu of the standard project manager reports. Project managers were not required to attend this meeting.

Lanier High School

- The theater was completed in time for the celebration of Lanier’s 50th anniversary.
- The anniversary celebration was a success.

Anderson High School

- The auxiliary gym has been completed and is in use.
- Work continues on the A/C for the boys’ locker room.
- An open house is scheduled for December 9.
- The community is very pleased with the gym.

Early Childhood Center

- The slab has been poured.
- Seventy percent of the steel structure is up.
- Freidrich Lane was expanded to allow for utilities and access.

Bus Terminal

- The Board approved an FMGP of \$6.8 million of this project.
- This project was delayed three years due to difficulties in finding an appropriate site.
- The budget reflects necessary escalation costs.

Soccer Fields

- Staff is still in the planning stage with the Parks and Recreation Department.
- An agreement between AISD and the City of Austin for the use of this property is being determined.

North Central Elementary School

- The preliminary design work is taking place.
- The civil engineer is examining possible drainage channels.
- It was originally thought the building would be two stories, but it now appears that the site can accommodate a one-story building.
- A member stated that the section of Rundberg Lane near this property is known for illegal drug sales and asked if this is taken into consideration when a site is selected.
- Another member reminded the committee that this is the area where the students live, which is why a school is needed.
- A member asked if a principal has been selected.
- No principal has yet been selected, but Mr. Shaw stated that, typically, the principal will be selected no later than the fall semester before the school is scheduled to open.
- Another member noted that a school could improve the area because of the additional traffic and monitoring that will occur.
- A member asked why there was a preference for a one-story building. Mr. Shaw explained that this was the preference for elementary schools because of safety code requirements. If pre-K, kindergarten, and first grade students are housed above the ground floor, a sprinkler system is required. This is a substantial additional cost.
- A member suggested that the school be built with a foundation where a second story could be built if the need were to present itself.
- To address the severe overcrowding in the north central area, the school is being designed for 40-classrooms instead of the usual new school 32-classroom design with space to later construct an eight-classroom addition. The additional eight classrooms will be placed as an alternate bid to determine if the budget is sufficient to support the construction 40 classrooms at this time.

Performing Arts Center (PAC)

- When the PAC schematic design was presented to the Board in Executive Session, it triggered some additional questions regarding the liner.
- Staff continues to work with Catellus on this item.
- A member asked what the parking garage capacity would be. Mr. Shaw stated it was being designed for 425 spaces.
- Another member asked what role the City of Austin and Catellus have in this project. Mr. Shaw explained that the Mueller PUD is a city project and that the City Council had to approve the sale of the land to the District. In addition, the design and construction is reviewed by the Mueller New Construction Committee. Catellus is the master developer for the PUD.
- The District continues to meet with neighborhood groups to keep them apprised of the project.

Brown Elementary School

- Brown was the recipient of a library make-over grant from Target.
- Some pictures of the opening were shared.

VI. HUB Report

The HUB Report was postponed until the January meeting because Cloteal Haynes, the HUB consultant, was unable to attend this meeting. A handout of the HUB report was provided to members.

VII. Discussion of Draft Projects for Possible Program Contingency

Curt Shaw provided members with an overview of draft projects for possible program contingency use. Members received a list of urgent maintenance projects and a list implementation needs for the 2012-2013 Annual Academic and Facilities Recommendations (AAFRs) that the Board is considering.

- Mr. Shaw explained how the maintenance project list was developed:
 - Construction Management staff carefully examined the District's facilities condition assessment database to identify critical renovation projects to be considered for implementation with available bond funds.
 - Staff was purposeful in selecting projects that aligned to the original intent of the bond referendum and also supported the current Board priorities and the Strategic Plan.
 - In addition, AISD bond program project managers and Service Center maintenance staff were consulted to solicit their input in the selection of the most critical candidate projects.
 - The recommended renovation projects were determined to have an immediate urgency, categorized as a Priority I building system deficiency.
 - Campuses were contacted and functional equity was considered.

- Mr. Shaw noted that costs included soft costs and contingency.
- Currently, the 2008 Bond Program contingency is \$19M.
- A discussion on the AAFRs ensued:
 - A member commented that the names of the schools and programs change, but the substance does not.
 - Another member expressed concern that there was still not sufficient data from Ann Richards School for Young Women to determine how well a single-gender high school will work.
 - A member asked Mr. Shaw if there were additional maintenance projects that needed attention. Mr. Shaw explained that only the most critical renovations were listed. There are many other Priority 1 projects pending.
 - Members felt that surplus program contingency funds should be focused on critical maintenance needs rather than the implementation of AAFRs.
- Several motions were debated.
- In conclusion, the committee moved and unanimously approved the following motion: The list of urgent maintenance projects are the types of projects for which the CBOC feels contingency funds should be used.

VIII. Discussion of December Site Tour

Because most major projects have been completed and the committee has already visited most of them, members decided to wait until the summer for another site tour.

IX. Agenda Items for Next Meeting

- Next meeting is January 24th, 6:00 PM-Location-Board Auditorium
- Subcommittee Meetings
- Subcommittee Reports
- Approval of CBOC Bylaws
- HUB Update
- Facility Master Plan Update
- Updates & Agenda Items for Next Meeting

[Bold italicized language indicates a new lesson learned.]

Lessons Learned

- A. Pre-Election Activities/Bond Program Planning:
1. Identify new schools using the description of schools to be relieved, rather than geographic designations.
 2. For larger, more complex projects, enlist paid services of architects, engineers, and appropriate construction professionals to conduct extensive and comprehensive site analysis to determine the scope and budget for the project.
 3. As the AISD gears up for the next bond program, it should utilize the oversight model established in the 2004 Bond Program.

4. Additional contingency funds should be included in future bond programs to cover unexpected issues that may arise when older district facilities are renovated or repaired.
 5. Project scope of work needs to be clearly defined to prevent misunderstandings by the community as to what the project should entail. (Added in November 2010.)
- B. CBOC— Establishment and Procedures:
1. Appoint CBOC members immediately after the bond initiative is passed.
 2. A thorough discussion of committee processes, procedures and charge is needed when the CBOC is first appointed.
 3. A simple English statement of what the charge is would help future committees.
 4. Responsible stewardship involves providing adequate resources to maintain and operate new schools and new construction properly.
 5. The process used by the CBOC to establish its structure and working committees was very successful.
 6. Schedule a retreat immediately after the CBOC is appointed and completes the self-evaluation tool at least twice annually.
 7. The Survey Committee should develop its own list of “lessons learned”.
 - a. There should NOT be different surveys for each campus due to the need to compile data. Therefore, one survey will be created with all campuses listed and the first question will ask them to select their campus. Note: There will still be personalized emails, with individual project descriptions, sent to each campus.
 - b. One person should have central responsibility for collection and distribution of surveys.
- C. Program Management:
1. An additional 15% of square footage should be added to the educational specifications to allow for circulation. (Barton Hills)
 2. Front load the implementation of the bond construction program. Spending funds earlier helps reduce the impact of inflation on available bond funds.
 3. Differentiate between the dates for the completion of construction and when a building can be occupied. The general public believes the “completion of construction” date is the same as the date a building can be occupied.
 4. Establish a process with well-delineated criteria for determining the use of contingency funds.
 5. Since contingency funds are more readily available in earlier projects and less available for projects scheduled in later phases, committee and staff need to be mindful of maintaining equity for all projects.
 6. Because principals are key participants in the success of a construction project, a training workshop by construction management staff should be provided to new principals who have no experience with construction projects.
 7. Projects should be broken down into smaller packages to allow smaller contractors to bid these projects. The benefits of this

- approach are that bids would be at or below the project budget, and the District would be less dependent on the large contractors.
8. In order to better deal with problems related to obtaining permits from the City of Austin, which have caused numerous delays and have increased the number of change orders, CBOC members recommended that staff:
 - a. Research the city requirements before establishing a budget for renovations.
 - b. Have the Construction Management staff and City Health Department conduct a survey of the kitchens to determine in advance what an architect should include in the design.
 - c. Have a debriefing session with city officials at the director level and strategize on how to improve the permitting process.
 9. Separate items not requiring a permit from projects so that these components may be completed while the other project components obtain the necessary permits. An example of this was seen with the kitchen renovation projects; the installation of dishwashers, which does not require any permit, was separated from other project components that require permits. This allowed the dishwasher installations to proceed.
 10. When designing a building, allow sufficient space in the crawl space for easy access. This will make it easier to repair pipes or other fixtures that must be accessed through the crawl space.
 11. The Superintendent and the City Manager should meet and work together to establish a culture of cooperation between two public entities, which would facilitate permitting and code issues that frequently arise during construction or renovation projects. Too often, lower level city staff does not feel authorized to deviate from the letter of a regulation, which hinders any flexibility in creating solutions that could benefit both the District and the City.
 12. The City should distinguish between code issues that are relevant and necessary versus those that are clearly outside the scope of work presented and very expensive for the District to undertake. The City should grant the District leniency for those code issues that fall into the latter category.
 13. Delays in land acquisition are costly. The District should consider selling surplus property and reinvesting in potential future sites as a cost reduction mechanism.