



**The Quarterly Report
of the
Citizens' Oversight Committee
for the
3rd Quarter 2004/2005 School Year**

16-May-2005

Third Quarter Report
of
The Citizens' Oversight Committee
for the
2004/2005 School Year

The Citizens' Oversight Committee, herein referred to as the committee, welcomed new committee members Mrs. Sylvia Orozco and Mr. Mike Milliner. The committee had previously expressed our concern regarding the required composition of committee members to the Board. We were appreciative of the prompt action taken by the Board to appoint Mrs. Orozco and Mr. Milliner to the committee, thereby addressing our concern.

Ms. Kathy Gassen, an educator at Don Lugo High, expressed concerns about several issues involving the Don Lugo project to the committee. In a subsequent committee meeting each of Ms. Gassen's concerns were addressed by Dr. Paul Andersen, Mr. Preston Carr, Mr. Steve Bachor and most of the explanations offered were satisfactory to most committee members. The fact that these exchanges occurred is evidence that increased communications between all respective parties are necessary throughout the life of the project to circumvent misconceptions and misunderstandings.

Mr. Lonnie Truett had been in email contact with the committee chairman and these emails span a period beginning when Mr. Truett was a board member continuing until fairly recently. In these emails Mr. Truett expresses his concern about several issues. Mr. Truett's concerns were addressed in one of our regularly scheduled committee meetings which he did not attend. Because the committee believes it should be responsive to the community and because others may share some of the same concerns, we provide additional comment on some of the matters addressed in the committee's meeting.

Mr. Truett stated that the oversight committee was responsible for some projects being over budget due to our insistence that an additional construction manager be hired and he questioned the cost effectiveness of retaining the services of a program management firm. The committee believed the district needed to hire another construction manager to provide oversight thereby preventing B.E.McMurray from performing oversight of B.E. McMurray and we made our position known to the board. We fully supported the decision by the board to hire another construction manager when that decision was made and we continue to support that decision now, but the decision was made by the board and not by the committee. The members of this committee were in complete agreement with the independent auditor's assessment that the district needed additional project management support and oversight for Measure M projects which later evolved into a program manager. The benefit of having a program manager on the team is evident from what PCM3 has accomplished in the short time they have been involved with the district's program. PCM3 has demonstrated their ability to turn projects around, reign in contractors, weed out questionable charges, establish control of the change order process, and generally perform all of the tasks for which they were hired and which we expect. We further believe the positive direction the district's program has taken is a direct result of PCM3's involvement and they have our full support.

Dr. Andersen informed the committee that board and district officials were in agreement with the Attorney General's opinion regarding the usage of bond proceeds, he then explained the benefits of using a relatively insignificant amount of Measure M dollars to fill a specific position, and he summarized the job description for the position. We believe the position described would be autonomous due to its very nature and the individual selected could become a strong ally of the committee by serving as an advocate for the taxpayer and as such we are in agreement with the use of Measure M funds in this instance should the district pursue this track.

Committee members continue making coordinated site visits and have been pleased with the progress observed at these sites.

We questioned whether litigation costs, related to Measure M projects, could and would be paid from bond proceeds. Dr. Andersen indicated The Office of Public School Construction (OPSC) had informed the district that local and state bond proceeds may be used for litigation expenses for related projects. He went

on to say every attempt will be made to keep these litigation related expenses at a level where they could be paid, along with other administrative costs, from the interest earned on deposited funds. The committee requested a list of all litigation claims, associated expenditures (both attorney fees and costs), and information regarding the stage of litigation for each claim.

There was some discussion about the Chapparral site however we did not form an opinion about this issue since no final determination on site usage had been made.

We were relieved to learn the district has addressed most if not all of the county's findings to the county's satisfaction.

Committee members are awaiting copies of the 2004 performance audit report now that the audit has been completed.

Construction updates were provided for Woodcrest and Don Lugo in addition to sites where a Notice of Completion (NOC) has been filed. The construction update for Don Lugo included an elaborate presentation by Mr. Preston Carr, Mr. Jim DiCamillo, Mr. Steve Bachor, and others and it detailed the progress being made at this site and what is to come. There were and are questions regarding this site which surrounds the possibility of a stadium being constructed. There are members of the committee as well as citizens in the community who are of the belief that if a stadium is constructed at this site it will be done so at the expense of classrooms at this site. Beyond that there is a belief in the community that money used to construct any stadium would be better used if it were left in the kitty to be applied to other sites where renovation and modernization efforts may require scaling back due to inadequate funding for such a site. Then only upon completion of all projects as listed in the FAR if the funding remains should a stadium be built.

Mr. Preston Carr is to be commended for the extent of his involvement and concern with the Don Lugo project. Mr. Carr has attended several committee meetings since the Don Lugo project came online and has made himself available to provide input on this project to the committee. It is our hope that the degree Mr. Carr's involvement and concern will be indicative of other school officials as their respective sites come online. We would like to acknowledge the continuing support and contributions made by district staff, Mr. Bachor, and many others in our effort to serve the community.

For additional specifics about any item that appears within this quarterly report refer to the attached meeting minutes.

Respectfully submitted,

The Citizens' Oversight Committee

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Citizens' Oversight Committee Members

<u>Member Name</u>	<u>Term Ends</u>
Andy Anderson	7/2005
Maurice Ayala	7/2005
Gerald W. Bruce	7/2006
Darrin Dalton	7/2006
Glenn Duncan	7/2006
Steven Elie	7/2006
Roger Larkin	7/2005
Gary Larson	7/2005
Mike Milliner	7/2005
Sylvia Orozco	7/2006
Michael Payne	7/2006
Paul Rodriguez	7/2006
Geoffrey VandenHeuvel	7/2005
Alan Wapner	7/2006

Contact us at www.cvusdoversight.org