



Chula Vista Elementary School District

**PROPOSITION E  
INDEPENDENT CITIZENS OVERSIGHT COMMITTEE**

**Minutes  
Special Meeting  
November 20, 2015 – 4:00 P.M.  
Dr. Lowell J. Billings Board Room  
Education Service and Support Center**

**1. Call to Order**

Chairperson Dr. Diane Gerken called the meeting to order at 4:03 P.M.

**2. Roll Call**

**Members Present:**

Debbie Croshier  
Sean R. Dunbar  
Dr. Diane Gerken  
Mary I. Helvie  
Karyn Koenig

**Members Absent:**

Ami Abbott  
Marina Beltran

**Others Present:**

Oscar Esquivel, Assistant Superintendent for Business Services and Support  
John Heredia, Safety, Environmental, and Maintenance Manager  
Ann-Marie Pering, Publications, Purchasing, and Warehouse Manager  
Carolyn Scholl, Facilities Planning Manager  
Theresa Villanueva, Director of Fiscal Services  
Angie Barton, Office Manager (Meeting Recorder)

**3. Approve Minutes**

- ***September 16, 2015, Regular Meeting***

MSCU Helvie, Koenig that the minutes of the September 16, 2015, regular meeting of the Independent Citizens Oversight Committee (ICOC) be approved as presented.

**4. Report: Summer 2015 Modernization Expenditures**

- ***Ella B. Allen Elementary School***
- ***Hilltop Drive Elementary School***
- ***Vista Square Elementary School***

Mr. Esquivel provided an informational presentation that addressed the following items about expenditures for the Summer 2015 modernization projects. (Presentation is identified as Exhibit "A" and made a part of these minutes.)

- Proposition E expenditures summary as of October 31, 2015, for the Allen, Hilltop Drive, and Vista Square modernization projects.
- Contract awards and changes orders for Bid Packages Nos. 1 – 13 and Nos. 15 – 17. (Bids were rejected for Bid Package No. 14, Kitchen Equipment. The District used an existing bid to replace kitchen equipment at the three schools.)
- Summary of the Series A and Series B bond funds.

Mr. Esquivel stated that the independent third-party auditor will be at the District in January/February 2016 to conduct their field work on the Proposition E Bond Fund and to review expenditures. He emphasized that no Proposition E monies were used for teacher for administrative salaries.

## **5. Update/Discussion: Project Labor Agreement**

Prior to the meeting, ICOC Members were provided with the following documents to help provide background information on the current status of the Project Labor Agreement (PLA) process.

- April 2015 Board item and resolution to approve negotiations of a PLA. At the Board's request, the resolution was amended to include projects funded by Mello-Roos Community Facilities Districts (CFDs).
- Signed copy of Resolution No. 2014-15.82, which includes the addition of projects funded by CFDs.
- August 2015 Board item to approve legal services relating to a PLA.
- September 2015 Board item requesting two Board of Education Members to serve on an advisory committee for the observation and discussion of PLA negotiations.

The PLA is a prehire collective bargaining agreement that requires a contractor/subcontractor to enter into a PLA whether they are union or nonunion. Bidders will be made aware of this requirement through the construction documents. The Board of Education approved Atkinson, Andelson, Loya, Ruud & Romo (AALRR) to provide legal services to assist the District during negotiations and implementation of a PLA. In September 2015, two Board Members were appointed to serve on an advisory committee for the observation and discussion of PLA negotiations. Due to the fact that the two Board Members do not form a quorum of the Board, negotiations and discussions regarding the PLA are not meetings subject to the Brown Act.

ICOC Members questioned if a PLA is necessary and asked for bidder information on the Summer 2015 Proposition E projects. Questions were also raised on the number of union versus nonunion contractors that submitted bids and wages paid

by contractors to their employees. Mr. Esquivel stated that all contractors are required to pay prevailing wages.

The next steps in the process are to finalize negotiations on the PLA and to take the proposed agreement to the Board for consideration. When this occurs, it will be an open item when members of the public may provide comments and address the Board. Committee Members requested that the District notify them of the Board meeting date.

**6. Approve Cancellation of December 2, 2015, Meeting of the Independent Citizens Oversight Committee**

MSCU Helvie, Koenig that the December 2, 2015, ICOC meeting be canceled.

The next three approved meeting dates of the ICOC are as follows:

- March 16, 2016 (6:00 p.m., Dr. Lowell J. Billings Board Room)
- May 25, 2016 (6:00 p.m., Dr. Lowell J. Billings Board Room)
- September 21, 2016 (6:00 p.m., Dr. Lowell J. Billings Board Room)

**7. Other Items/Open Discussion**

Mr. Nick Marinovich, Chair of the Sweetwater Union High School District's Citizens Bond Oversight Committee, addressed the ICOC regarding the PLA. He provided an update on the status of a PLA at the Sweetwater District, stated that the ICOC needs to be informed of the reasons for a PLA in CVESD, and added that the ICOC needs to be active in the process.

**8. Adjournment**

Chairperson Dr. Gerken adjourned the meeting at 4:37 P.M.

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