

MINUTES  
CLARK COUNTY SCHOOL DISTRICT  
SPECIAL MEETING OF THE BOARD OF SCHOOL TRUSTEES  
**BOND OVERSIGHT COMMITTEE**  
ADMINISTRATIVE CENTER, ROOM 466  
5100 W. SAHARA AVE., LAS VEGAS, NV 89146

THURSDAY, JUNE 16, 2016

11:30 a.m.

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**Members Present**

Bowler, Richard	Munford, Harvey
Davis, Al	Philpott, Steve
Earl, Debbie	
Halsey, Jim	
Lavelle, Lisa	
Lazaroff, Gene	

**Members Absent**

Kubat, Charles  
Lopez, George  
Reynolds, Jacob  
Tate, Cameron  
White, Eva

A recording of this meeting can be obtained by contacting the Facilities Division at (702) 799-5204 x5226.

1.01 FLAG SALUTE.

1.02 ROLL CALL.

1.03 ADOPTION OF THE AGENDA.

*(Jim Halsey informed the committee that item number 3.05 would be tabled until Mr. McDade arrived.)*

*Motion was approved to adopt and accept the June 16, 2016, agenda.*

*Motion: Davis*

*Second: Philpott*

*Vote: Unanimous*

2.01 PUBLIC COMMENT PERIOD. None.

3.01 APPROVAL OF THE MINUTES.

*Motion for approval of the Minutes for the April 21, 2016, agenda.*

*Motion: Philpott*

*Second: Earl*

*Vote: Unanimous*

3.02 ELECTION OF EXECUTIVE COMMITTEE.

**Lisa Lavelle** was nominated and elected **CHAIR**.

*Motion: Philpott*

*Accepts*

*Vote: Unanimous*

3.02 ELECTION OF EXECUTIVE COMMITTEE. (continued)

**Jim Halsey** was nominated and elected **FIRST VICE CHAIR**.

*Motion: Lazaroff*

*Accepts*

*Vote: Unanimous*

**Steve Philpott** was nominated and elected **SECOND VICE CHAIR**.

*Motion: Lazaroff*

*Accepts*

*Vote: Unanimous*

Jim Halsey turns over the Bond Oversight Committee (BOC) Meeting to the newly elected Chair, Lisa Lavelle. Ms. Lavelle thanked Mr. Halsey for his services over the last three years and continued chairing the meeting.

3.03 REPORTS BY STAFF AND/OR LIAISON REPRESENTATIVES. None.

3.04 QUESTIONS REGARDING MONTHLY STATUS REPORTS.

Mr. Bowler stated he would like the Status Reports to focus on what the current status is on the remaining projects for the \$40 million. Ms. Alston stated that the District is obligated to report on the full status of the progress reports. She said once a project closes, it is removed. She also stated that the projects that were added from the 1998 Capital Improvement Program (CIP), Revision 19 and the 2015 CIP, Revision 1 are listed on the "Projects in Progress Report (F)". She said the next full report will be in September 2016.

3.05 RESPONSIBLE BIDDER. (Tabled until Mr. McDade is present)

3.06 ASSIGNMENT OF ARCHITECTURAL DESIGN PROJECTS.

Mr. Jeff Wagner, Director, Construction Management, began his presentation by stating that the architects are internally assigned work through the Request for Qualifications (RFQ) process and clarified that this discussion is not about architect selection, but specifically about how the architects are selected for specific site projects. He continued by briefing the committee on how the expansion of the architect list occurred per the following slides:

- *Assignment of Work (2014-2015)* – Distribution of Architectural Design Fees
- *Assignment of Work (2014-2015)*
  - 2010 RFQ: Eight firms pre-qualified for work
  - 2014-2015: Six firms engaged in work during this time period
  - One firm allocated nearly 46 percent of all design fees
  - Top three firms represent nearly 90 percent of all design fees

Mr. Wagner clarified that as a public agency, the District cannot assign architectural work based on fees – fees are negotiated after selection of the firm or firms.

- *Pre-qualified Architectural Firms*
  - May 2010: CCSD advertised an RFQ for architects
  - Eight pre-qualified architectural firms were placed on the CCSD list

### 3.06 ASSIGNMENT OF ARCHITECTURAL DESIGN PROJECTS. (continued)

- These firms were used exclusively for five years
- May 2015 – Bond Oversight Committee (BOC) Meeting: The committee received a presentation entitled 2015 Capital Improvement Plan, Prototype and Site Selection.
- Mr. Kubat, Design Liaison to the BOC, stated that the BOC was ready to revisit the architect selection process so that more firms could be included.
- District staff subsequently advertised the 2015 RFQ for architects.
- The BOC recommended the resulting pre-qualified architect list to the Board of School Trustees (BOST) for approval.
- The BOST approved the current pre-qualified architect list on January 28, 2016.
- *2015 Request for Qualification (RFQ)*
  - Released September 28, 2015
  - Advertised in the Las Vegas Review-Journal on September 30, 2015
  - The CCSD reached out to all firms listed on the AIA Las Vegas Website with educational design experience via e-mail.
  - The CCSD reached out to all firms currently doing work for the District.
  - Twenty-five firms physically picked up the RFQ package from the District.
  - Nineteen firms submitted RFQ packages to the CCSD for review.
  - Eighteen packages were found to be responsive and in compliance with the CCSD Regulation 7211.
- *Internal Review and Design Work Assignment to Pre-Qualified Architects*
  - The CCSD Construction Management staff assigns work in one of two ways:
  - Option 1:
    - ✓ Design Charrette: Example assignment of 14 and 22 elementary school additions
  - Option 2:
    - ✓ The CCSD Construction Management staff has developed a form and process for assignment of design work to architectural firms that takes into consideration the following criteria:
      - Current CCSD work underway
      - Current value of fees with the CCSD in the last 24 months
      - Capacity to complete project
      - Familiarity with project type/site/campus
- *Architect Assignment*
  - Rigorous assignment process
  - Includes input from five CCSD staff members
  - Includes input from the Contracts, Procurement, and Compliance staff
  - The assistant superintendent makes the final approval of the architectural assignment.
- *Current Assignments Using This Process*
  - Eighteen firms pre-qualified for work with the CCSD (2015 RFQ)
  - As of June 2016, the CCSD has engaged 15 firms in work and/or requested proposals for future work.
  - All three elementary school prototypes are to be re-sited twice during the round of new schools to open in the Fall of 2018.

### 3.06 ASSIGNMENT OF ARCHITECTURAL DESIGN PROJECTS. (continued)

- *Current Assignments Using This Process*
  - The 1998 Capital Improvement Program (CIP), Revision 1 includes:
    - ✓ Virgin Valley HS Gym (KGA)
    - ✓ Boulder City HS, Phase III and IV (SH)
    - ✓ Sandy Valley School, Phase II (LGA)
  - The 2015 CIP, Revision 1 includes:
    - ✓ 22 Classroom Additions (Gensler)
    - ✓ 18 Classroom Additions (KGA)
    - ✓ 14 Classroom Additions (Ethos 3)
    - ✓ J. D. Smith ES (CSD)
    - ✓ Cartwright ES (YBA)
    - ✓ Chaparral HS (NAA)
    - ✓ Cambeiro ES (GMRA)
    - ✓ Palo Verde HS (GGW)
    - ✓ Bonanza HS (Lee & Sakahara)
    - ✓ Southeast Career Technical Academy, Phase Replacement (PSCA)
  - The 2015 CIP, Revision 1 (New Elementary Schools)
    - ✓ Farm Road and Jensen Street (SH)
    - ✓ Ford Avenue and Riley Street (SH)
    - ✓ Chapata Drive and Casady Hollow Avenue [Tate Snyder Kimsey Architects] (TSKA)
    - ✓ Spencer Street and Pyle Avenue (TSKA)
    - ✓ Beltrada Avenue and Via Italia, Pugsley Simpson Coulter Architects (PSCA)
    - ✓ Dean Martin Drive and I-15 (PSCA)

Mr. Wagner discussed a few other forms used by the CCSD Management Department in the assignment of architects to meet specific project criteria.

#### – QUESTIONS

Mr. Philpott asked if the contractors' list will be expanding and Mr. Wagner responded that the contractor's qualification process is on-going and that the list will be expanding.

### 3.07 REPORT BY THE CLARK COUNTY SCHOOL DISTRICT BOARD OF SCHOOL TRUSTEES' LIAISON.

Trustee Young began by advising the BOC if at any time they are interested in a presentation of any events that are on-going or any updates regarding the CCSD projects, to please let her know.

Replacement Schools Construction Underway – Trustee Young encouraged the committee if their schedule permits, that they are always welcome to come out to any of the events and programs taking place and to let staff know that they are present so that they can be acknowledged.

3.07 REPORT BY THE CLARK COUNTY SCHOOL DISTRICT BOARD OF SCHOOL TRUSTEES' LIAISON.

2015 Capital Improvement Program, New School Construction – Trustee Young spoke on the groundbreaking events that have taken place or will be taking place including the following sites:

- Galleria Drive and Dave Wood Circle (April 14, 2016)
- Arville Street and Mesa Verde Lane (May 18, 2016)
- Lamb Boulevard and Kell Lane (June 13, 2016)
- Chartan Avenue and Pioneer Way (June 14, 2016)
- West Prep (June 15, 2016)

Three more groundbreaking events taking place next week for the following sites:

- Rex Bell ES – Replacement School (June 20, 2016)
- Lincoln ES – Replacement School (June 21, 2016)
- Antelope Ridge (June 23, 2016)

School Naming Committee – Trustee Young informed the committee that the School Naming Committee (SNC) is taking applications for nominations for six new elementary schools under construction scheduled to open in the Fall of 2017. Applications have to be submitted by September 16, 2016. Packets are available on-line at [SNC.ccsd.net](http://SNC.ccsd.net).

Policy 7223, School Naming Process – Trustee stated that the Board of School Trustees finalized and voted on this policy on May 12, 2016, and is available on-line at [ccsd.net](http://ccsd.net).

Assembly Bill (AB) 394 – Re-organization of the Clark County School District (CCSD)

Trustee Young stated that Mr. Mike Strembitsky presented a proposal on the re-organization of the CCSD with a preliminary plan for an Autonomous Plan, Principles of Organization Enrollment Responsibility. She said there was discussion on the funding of students. She said that the preliminary plan is posted on the website of the Nevada Legislature: [www.leg.state.nv.us](http://www.leg.state.nv.us).

Advisory Committee – Trustee stated that this committee met to develop a plan to re-organize the District. She said they will meet again on July 1, 2016, at 9:00 a.m. at the Grant Sawyer Building.

Technical Advisory Committee – Trustee Young said this committee's final meeting will be at the Grant Sawyer Building on June 17, 2016, at 2:00 p.m. Trustee Young said she and Superintendent Pat Skorkowsky will be in attendance.

Graduation – Trustee Young stated that Mojave HS was the last of the graduation ceremonies and described the graduations as very festive and a "huge" big deal for all. She also said that another graduation will be taking place in August 2016, at the Smith Center.

Primary Elections – Trustee Young stated that the Primary Elections were held in June 2016 and informed the committee on the 50 + 1 Ruling which means that if you have 50 + 1 votes, then you do not have to run for office in the General Election in November 2016. She stated Trustees are under the Non-Partisan Group. Trustee Young stated that she and Trustee Garvey had enough votes that they do not have to run for office in the General Election in November 2016. She said that Trustee Wright will have to run for office in November and that Trustee Tew did not have

3.07 REPORT BY THE CLARK COUNTY SCHOOL DISTRICT BOARD OF SCHOOL TRUSTEES' LIAISON. (continued)

anyone on the Primary Election ballot – there were two candidates for the same seat, so she will be running in the General Election.

Pay Raises – Trustee Young stated that the BOST will be trying to speak to legislators on how they can get pay raises for school teachers and especially for support staff.

Appreciation – Trustee Young thanked the BOC for their leadership, partnership, and hard work with their input and feedback pertaining to the new schools, additions, and all the projects for the 1998 and 2015 Capital Improvement Programs. She stated she is very grateful for all of their support to the BOST which in turn helps the Trustees be effective and responsive to the constituents they represent. She also thanked all the support staff for all they do for the betterment of the Students in the CCSD. She thanked Ms. Lavelle for her new leadership in being selected as the new Chair for the BOC. She thanked Mr. Halsey and acknowledged his service as “STELLAR” for the last three years, holding the Chair position on the BOC.

Ms. Lavelle thanked Trustee Young for her report and congratulated both Trustee Young and Trustee Garvey on their newly elected Trustee positions.

Questions – Mr. Lazaroff asked if there was any discussion among the BOST at the meeting that had an agenda item regarding Policy 7223, School Naming Committee. He stated he delivered a late submittal to the Trustees for this particular meeting, a hand-carried memo on Policy 7223, School Naming Committee. He said his memo suggested they consider in this policy, selling the naming rights to people who are willing to pay to name a school after somebody that they are sponsoring. Mr. Lazaroff stated the intent is to develop another revenue stream, and knowing that there are billionaires that would be willing to donate if they are approached, is a great source of revenue for the CCSD. Trustee Young replied that she would be happy to follow-up and report back to Mr. Lazaroff at the next BOC meeting. She stated this is definitely worth reviewing and said she appreciated Mr. Lazaroff taking the time in giving this suggestion to the Trustees for consideration.

Speakers on Agenda Item:

Speaker #1: Mike Taack, On-Site Professional Development School Coordinator for Fremont Professional Development Middle School (PDMS). In summary, Mr. Taack briefed the committee on the many concerns and opposition from teachers, students, community members, UNLV faculty and staff, elected officials, union representatives, and concerned parents in the closure of the school and turning it into an elementary school.

Speaker #2: Shawn Kelly, Teacher, Fremont PDMS. In summary, he spoke on the concerns from the different stake holders including those mentioned by Mr. Taack. Some of the issues and concerns for students, families, and the community are students having to walk or bused, and families relocating and the consequences to the families due to the closure of the school or a new school being built.

### 3.05 RESPONSIBLE BIDDER.

Mr. Carlos McDade, General Counsel for the Clark County School District, provided the BOC with a memo dated June 16, 2016, on *Public Works Statutes – Preference for Locally-Owned Contractor* and explained there were two memos and apologized for the incorrect memo dated November 20, 2015, which needed to be discarded. Mr. McDade stated he was asked to investigate whether the District could create its own criteria for preferences in awarding contracts through the public works statutes and stated there are two exceptions that are noted in the memo:

(1) Public works projects that exceed \$250,000.00, a contractor that has paid (1) sales and use taxes of at least \$5,000.00 per year on materials used on construction projects within Nevada (including federal projects and projects on Indian lands within Nevada), or (2) governmental services taxes of at least \$5,000.00 per year on vehicles used in the contractor's business, or any combination of such sales and use and governmental services taxes, for at least 5 years prior to submitting a bid on a public works project, may be eligible for a bidding preference of 5 percent over a contractor that does not meet those criteria. NRS 338.147.

(2) Public works contracts that do not exceed \$100,000.00, a local government entity is required to give a preference (5 percent lower than the bid actually submitted) to a "local business" (defined as a business that employs at least one person in Nevada, and that has employed at least one person in Nevada for at least 2 years – NRS 333.3363) of which at least 51 percent of the ownership interest is held by one or more veterans with disabilities connected to their military service, provided that the business is managed and operated on a day-to-day basis by one or more veterans with service-connected disabilities. NRS 338.1384 – NRS 338.13844. Such a preference may not be combined with any other preferences. NRS 338.13844.

Mr. McDade stated that an agency as the CCSD is not allowed to create its own additional exception to the statute, and if this committee wants to pursue that idea, then he suggested the District pursuing the matter through the legislature for legislative changes to the Statute.

Mr. Davis stated that there are other community agencies in the country that realize that the term "responsible bidder" does not help their community, and the term that is being considered and does help the community is "best value bidding practices." Mr. Davis said he would encourage the District to reach out to partners in this community, and other government and educational agencies that understand that best value bidding practices because this is what helps a community. He stated that this is the direction the CCSD should take to the legislators and also be on board with. Mr. Davis concluded by stating that there are legislators that understand the concerns and are working on the language to get it right. Ms. Lavelle commented she feels the issue is a question of agencies defining the "responsible bidder" term. She asked Mr. McDade if he had knowledge of the CCSD being involved pertaining to this issue, and he replied he did not know but that he would follow-up and get back to this committee with the information. Mr. Bowler asked Mr. McDade for clarification on what the law requires regarding potential bidders outside the state and asked if they too have the availability of bidding CCSD projects, and Mr. McDade responded, "yes."

3.08 QUESTIONS ON AND/OR REMOVAL OF ITEMS ON MOTIONS AND TASKINGS.

*Motion was approved to remove item one, dated 4/21/16, Presentation on What the Process is for Selection of Architects and Engineers, and Why, from the Motions and Taskings, page 1 of 3.*

*Motion: Davis*

*Second: Halsey*

*Vote: Unanimous*

3.09 AGENDA PLANNING: ITEMS FOR FUTURE AGENDAS. None

**4.0 PUBLIC COMMENT PERIOD**

4.01 PUBLIC COMMENT PERIOD. None

5.0 ADJOURN: 12:50 p.m.

*Motion: Davis*

*Second: Halsey*

*Vote: Unanimous*