

# **NEWPORT-MESA UNIFIED SCHOOL DISTRICT MEASURE F CITIZENS OVERSIGHT COMMITTEE**

## **MINUTES AND REPORT OF THE MEETING OF February 4, 2019**

The Citizens Oversight Committee met on Monday, February 4, 2019, at the Estancia High School Library, 2323 Placentia Avenue, Costa Mesa, CA 92627.

### **Members Present:**

Mitch Vance, Chairperson, TGV Partners  
Julio Zunzunegui, Mariners Parent  
Lee Ramos, City of Costa Mesa Senior Commission  
Robert Ooten, Member at Large  
Richard Rutledge, Estancia Parent & PTA Member  
Laura Ursini Marroquin, Community Relations, Newport/Naples Rib Company

### **Members Absent:**

Suzanne Gauntlett, Member at large, HCPTA Vice President of Legislation

### **Also Present:**

Jeff Trader, Executive Director, Chief Financial Officer  
Ara Zareczny, Director of Facilities Development, Planning & Design  
Lori Horrell, Administrative Assistant to Ara Zareczny

### **Handouts:**

Meeting Agenda for February 4, 2019  
Meeting Minutes from November 5, 2018  
Building Fund (Measure F) Financial and Performance Audit, June 30, 2018

## **WELCOME AND INTRODUCTION**

Committee Chair, Mitch Vance, opened the meeting at 6:03 pm.

## **SELECTION OF CHAIRPERSON**

Richard Rutledge was selected as Chairperson for the 2019 calendar year.

## **ADOPTION OF THE AGENDA**

Agenda for the February 4, 2019 meeting was adopted as presented.

## **ADOPTION OF THE MINUTES**

Minutes from the November 5, 2018 meeting were adopted as presented.

## **FISCAL REPORT**

Mr. Rutledge summarized the June 30, 2018 Building Fund (Measure F) Financial and Performance Audit Report that was emailed at an earlier date to all members. Mr. Vance commented that the accounting firm has been auditing these financials since the inception of Measure F. Mr. Rutledge explained that the District was able to refinance the bond to a lower rate, so we went from having a bond that was basically fully used up to recovering a balance of

almost \$28 million. The Board in turn moved forward to start the process of the Estancia Theater.

Mr. Rutledge explained that in the last year the Davidson Field renovation was completed, which was both a Measure F and District funded project, and this committee reviewed those transactions. Ms. Zareczny explained that the Measure F funds earn money by interest only. There have been no projects in the last year that Measure F funded, so we have \$28 million waiting to be used for a 350-seat theater at Estancia.

Mr. Trader joined the meeting and shared that the committee's charter is to make sure that the monies spent are only spent on the things they should be spent on. The auditors gave an opinion that, indeed, the monies were spent correctly. He confirmed that it was a somewhat dormant year for spending the bond funds. There has been no change in expenditure from the last COC meeting. Mr. Vance asked what the auditors charge to do the audit and Mr. Trader said that he will email the information to the members.

## **PROJECT REPORT**

Ms. Zareczny reported on the Estancia Theater project. She explained that the reason there are so few expenditures for this project is due to the fact that we were trying to get the Estancia pool project moving again. We originally started the process November of 2017.

On January 16<sup>th</sup>, Ms. Zareczny did a presentation to update the board on the Estancia Theater project. She emphasized that in the past we were only required to have meetings based on legal requirements such as CEQA for capital facility improvement projects, but our board has made a commitment to have a series of meetings throughout the project design. Ms. Ursini asked if Measure F funds were paying for the pool, and Ms. Zareczny confirmed that those funds will not be used for the pool project.

Through the presentation to the board, our goal was to inform the board what our formal process is for hiring an architect. In 2010, we developed an education specification as to what the theaters would look like in the district. LPA worked with the district to determine what the standards would be district-wide. Specifications were created for the enclaves and the theaters for program needs. We established a 350-seat and a 500-seat theater standard. We used the 500-seat theater standard to replace the Robins-Loats theater at Newport Harbor HS. All other theaters were designed and built as 350-seat theaters.

Even though they all had the same program requirements, they were done very differently due to constraints at each site. At Costa Mesa High School, we didn't have to build entirely new music classrooms, we were able to renovate the existing classrooms and add square footage for additional storage that was required to meet the program needs. At Corona del Mar High School, we had to demo the 400 and 600 building. The 400 building had music classrooms, the old shop areas, and a photo lab that was relocated to the 200 building. The 600 building was storage and a P.E. classroom. Much more square footage had to be built at Corona del Mar because we had to demo classrooms to do this. So, at the Corona del Mar theater we had to build new music classrooms, new flexible space, new Black Box—everything was brand new because we had no land. In order to complete both the enclave and the theater there, we had to go up three floors for the enclave at Corona del Mar. Costa Mesa High School went up two floors so that we could accommodate the program.

We originally sent out Request for Proposals (RFPs) for architectural design in 2017 for the Estancia Theater project. Eleven proposals were received at the time, but due to issues with the pool project, those proposals sat for months until staff could re-vamp the pool project. Last year we reached the point where we knew what we were doing with the pool, pushed hard to get the pool back up and running, and were able to evaluate the proposals through a formal process.

We have a checklist in the RFQ itself where we ask the architect to give us all their specifications. They have to meet certain criteria, so we basically tell them how they have to submit their proposal. The Facilities team and Tim Holcomb formally rated each section: Did they respond appropriately? How does the criteria match up to what we are asking for? Have they done K-12 educational facilities? Have they built theaters? Have they built theaters recently? Were they 350-seat theaters? Were they 100-seat theaters? Where is this architect located? Are they close by? Are we going to have the attention we need from professionals to come out to our site to look and really understand what's happening?

There are many areas we look at when evaluating an architect. They all know how to put pretty pictures together. We are very fortunate because there are so many architects that work in K-12 facilities, but theatrical is a specialty. So it is a little bit challenging to find the right fit and as easy as it would have been to just pick someone we have already used, we really took a fresh look at everyone who proposed and took the extra effort of advertising for proposals at the state level. We wanted to give Estancia High School a little extra attention and really make sure we made the right choice for the school.

Once we evaluated the proposals, we came up with a short list of firms to be interviewed. We interviewed five firms, three of those firms we had already worked with (which included designers we had used at Costa Mesa High School, Corona del Mar High School, and Newport Harbor High School who we loved working with). We were really looking for the "wow" factor. Our fifth interview was Pfeiffer Partners, located in L.A. They have expertise in theaters, not just K-12 theaters, but universities across the U.S. They recently built the theater at Chapman University.

Once the interviews were completed, Tim Holcomb, Michael Halt and Ara Zareczny, negotiated with each other as to who was the right fit for Estancia. The Pfeiffer firm had the "wow" factor. Our concern was that they are so used to building theatrical facilities for true performing art centers, that it might be difficult to keep them within a 26-million-dollar budget for a high school facility. We are very conscious of not over-designing or over-building facilities that would not be a teaching facility. Our goal is to build a theater where kids can learn every aspect of using that theater, not something that staff has to come in to operate for them. Pfeiffer understood that it was a teaching facility, which was key for us in continuing to speak with them.

We decided to go into a negotiation period with Pfeiffer. Because of the high-caliber firm we know they are, we knew their fees would come in higher than we were used to seeing. We went through a significant negotiation with them, and they put some of their fee aside and decided to go ahead with the project. The only reason they took this project is because it was a theater. If it was traditional classrooms or science labs, etc., they never would have even submitted. Since it was a specialty theater, they were interested in doing the project. As of Friday, 2/1, we have formally signed the contract. We had board approval in January. We have hired Pfeiffer and are now working with the site to develop their committee. We are going through a formal process of identifying who will be on the committee, with approval from Dr. Navarro.

As part of the negotiation and the agreement, the schedule is comprised of all your typical design phases, but the initial phase of design is to re-establish what the scope is. Do we renovate those spaces? Do we relocate those spaces? We go through and validate the scope and how it gets implemented into the final plan. One of the things we are interested in doing is re-using the square footage. We need to determine how much square footage we can capture as existing square footage and figure out if we have the 20,000 square footage of programming we need for this building. If there is 10,000 of existing square footage we already have on the site that we can re-capture, where would this 10,000 square footage go? How does the adjacency work with the site? How does it work aesthetically coming from the north and the south? How do we make the area more inviting to really welcome people in? We could easily take up some basketball courts, and streamline, but we know that is not the intent of this project. This process will take about six weeks from kick-off (last Friday). February 15<sup>th</sup> is our next meeting with the site, and by that time we will have come up with a list of discussion items such as: orchestra pit/no orchestra pit? Flexible classroom (dance room? drama room?). We will be building the parameters for these discussions.

The question was asked if the architects had ideas about reusing existing spaces? Each architect came in with their own ideas of where they would locate the theater, and had ideas where they would relocate spaces, etc. Pfeiffer was flexible and really listened to what we wanted.

The question was asked if there was a difference on transparency on capital projects between a city and a school district? Is there a legal requirement that they follow vs. what we do? Just like our board has adopted additional steps, it was all at their discretion. We really are only legally bound to CEQA. CEQA is the governance for how we get our project approved. That is the legal avenue that the community has to sue us. As long as we comply with CEQA, anything above and beyond that we do, is our district trying to do a better job. Our board has created policy for this and done a good job informing the community.

The program and conceptual plan is six weeks, and the typical design phases are: schematic, design development, and development of construction documents. Schematic design is eight weeks, design development is another eight weeks, and the construction documents (technical documents that go to the Division of the State Architect (DSA) for plan approval. Rather than taking our plans to the City for approval, we go to the State, which is the Division of State Architect. It will take us about eighteen (18) weeks to get the plans finalized, and get them into DSA.

Theaters are complex buildings. They have a lot of specialty consultants: acoustic, lighting, rigging, etc., that we will be coordinating. Once we get into DSA, you request an appointment six weeks out from submitting your plans. If your architect fails you, you wait another six weeks. The contract has verbiage in it so we don't miss a deadline. DSA has staff ready that day to receive your completed documents. If the documents are not complete, you get kicked to the back of the line, so architects are being much more diligent about their deadlines. Once we have DSA approval, we go through our typical bidding.

The question was asked when will DSA approve your plan? Ms. Zareczny explained that the process is now all electronic. The review also happens electronically. We do what is called "studio sessions", which is logging into the forum with DSA. They're making comments electronically and you're responding to them electronically, all living in the same document at the same time. The beautiful thing about this is when comments are entered in the system, and

your architect doesn't look at them for two weeks, DSA knows they aren't paying attention, and you know they aren't paying attention. This process was implemented in January.

Once we have DSA approval, we go out to bid. We always pre-qualify our contractors. They must submit an application, just like we do with our architects, that qualify them to do the job. They have to go through an application process before they can ever bid on the job. If they haven't built a 350-seat theater at about \$25 million in the last three or four years, they're not even going to be considered. They have to be at the design level we're at with our design, and all the electronic process is still alive during construction. Those documents that get approved during DSA, will have changes that will be approved electronically as well.

DSA stores everything in BOX, and the Facilities Department also uses BOX for tracking. We'll go out for bid, advertise the job, and do a mandatory job walk where we make the contractors walk our site. We open the bid, get through the bid documents, issue a Notice to Proceed, they have ten days to start, and we'll probably have a 14-month construction schedule. Some of the things we will talk about during that 14 months would be: Will there be any temporary housing that's required? How much storage will we require for moving things out of the building? Where will we store while we're renovating spaces? Do we need temporary music spaces? We'll work through all these issues, and the 14 months can either get absorbed during summer, or we may stretch it out longer. We always want to do everything in the shortest time frame because it will cost the least amount of money. Then we'll occupy, estimating early 2021. We do have to go through CEQA which could delay this timeframe. We are excited to work with the Pfeiffer team.

We have to evaluate how much new construction and how much modernization is to establish the fees. Fees are higher for modernization. We do not give fee based off the bid, because estimating and what the bid comes in are two different things. We finalize their fee based on the DSA documents. The architects do an estimate, we have an independent company estimate, and then we reconcile that.

Mr. Rutledge asked that a link be sent about ongoing construction links. Ms. Zareczny explained where the projects are on the District websites.

### **COMMITTEE'S CHOICE**

Next meeting is May 6<sup>th</sup>. The COC presentation was discussed being done May 28th. Mr. Rutledge will be presenting to the board.

### **ADJOURNMENT**

Meeting was adjourned at 7:09 pm.