

SCHOOL BOARD OF BROWARD COUNTY

AUDIT COMMITTEE MEETING

KC WRIGHT ADMINISTRATION CENTER  
BOARD ROOM  
600 SE 3RD AVENUE  
FORT LAUDERDALE, FLORIDA

THURSDAY, JUNE 20TH, 2024  
9:35 A.M. - 1:01 P.M.

Court Reporter:  
Timothy R. Bass, Stenographic Reporter  
Bass Reporting Service, Inc.  
633 South Andrews Avenue, Suite 200  
Fort Lauderdale, FL 33301

United Reporting, Inc.  
(954) 525-2221

1 COMMITTEE MEMBERS IN ATTENDANCE:

- 2 MR. ANTHONY DE MEO
- MS. MARY FERTIG
- 3 DR. NATHALIE LYNCH-WALSH
- MR. ROBERT MAYERSOHN
- 4 MR. ANDREW MEDVIN
- MS. JACLYN STRAUSS
- 5 MR. LEW NAYLOR

6

OFFICE OF THE CHIEF AUDITOR STAFF:

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- MR. DAVE RHODES, Task-Assigned Chief Auditor
- 8 MS. ALI ARCESE, Audit Director
- MS. JENNIFER HARPALANI, Assistant Director IT Audits
- 9 MS. ELENA PRITYKINA, Task-Assigned Manager, Operations
- MR. GABRIEL CARVAJAL, Manager, Property & Inventory
- 10 Control
- MR. MATTHEW RUIZ, Inventory Audit Specialist, Property
- 11 & Inventory Control
- MS. LAURA WRIGHT, Clerk Spec C
- 12 MS. OCTAVIA ALLEN-HARDAWAY, Clerk Spec C
- MS. WANDA RADCLIFF, Clerk Spec B

13

DISTRICT STAFF:

14

- MR. MARK DORSETT, Chief Facilities Officer
- 15 MR. JOHN SULLIVAN, Chief Communications & Legislative
- Affairs
- 16 MR. OMAR SHIM, Director, Capital Budget
- MR. RYAN SMITH, Director, Business Support Center
- 17 MR. MERVIN SWABY, Accountant V, Accounting & Financial
- Reporting

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INVITED GUESTS:

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- MR. TIM BASS, Court Reporter, United Reporting
- 20 BECON Broadcast
- CHRIS GUMS, External Auditor, RSM
- 21 MATTHEW BLONDELL, RSM
- MICHAEL MCINTYRE, AECOM
- 22 TAMMY WHIPPIE, AECOM
- FADI HARDAN, AECOM
- 23 RODERICK HARVEY, HCT, CPA, Intercom Audit

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1 Thereupon, the following proceedings were had:

2 - - -

3 DR. LYNCH-WALSH: All right. Good morning  
4 everybody. I would like to call this June 20th,  
5 2024 meeting of the Audit Committee to order at  
6 9:35 a.m.

7 First order of business is the Pledge of  
8 Allegiance. Please rise.

9 (Pledge of Allegiance was recited.)

10 DR. LYNCH-WALSH: Thank you. We're down two  
11 for quorum, but we can go ahead and do roll call.

12 Mr. Rhodes?

13 MR. RHODES: Okay. Ruth Carter-Lynch?

14 (No response.)

15 MR. RHODES: Rebecca Dahl?

16 (No response.)

17 MR. RHODES: Anthony De Meo?

18 (No response.)

19 MR. RHODES: Mary Fertig?

20 (No response.)

21 MR. RHODES: Dr. Nathalie Lynch-Walsh.

22 DR. LYNCH-WALSH: Here.

23 MR. RHODES: Robert Mayersohn?

24 MR. MAYERSOHN: Here.

25 MR. RHODES: Andrew Medvin?

1 MR. MEDVIN: Here.

2 MR. RHODES: Pavel Menzul?

3 (No response.)

4 MR. RHODES: Lew Naylor?

5 MR. NAYLOR: Here.

6 MR. RHODES: Phyllis Shaw?

7 (No response.)

8 MR. RHODES: Jaclyn Strauss?

9 MS. STRAUSS: Present.

10 MR. RHODES: Peter Turso?

11 (No response.)

12 DR. LYNCH-WALSH: All right. Mr. Rhodes, did  
13 you receive any notifications from people that  
14 they would not be here today?

15 MR. RHODES: We did not receive information  
16 verifying one way or the other from Mr. Turso or  
17 Mr. Menzul.

18 DR. LYNCH-WALSH: What about the rest of  
19 them?

20 MR. RHODES: Say again?

21 DR. LYNCH-WALSH: Well, that's only two of  
22 the people that are missing.

23 MR. RHODES: Let me go back and look.

24 DR. LYNCH-WALSH: We're missing, Ruth,  
25 Phyllis, De Meo, Turso and Pavel.

1 MS. ARCESE: So I understand that Ruth  
2 Carter-Lynch said she would be calling in, but  
3 she's not on the phone yet. I just confirmed  
4 that she's not on yet.

5 DR. LYNCH-WALSH: All right.

6 MR. RHODES: We're looking for that  
7 information as we speak.

8 DR. LYNCH-WALSH: Okay. Because we need two  
9 more people, physically, in the room to have  
10 quorum.

11 So to that end, we cannot approve the agenda  
12 yet. Do we have any public comments?

13 MS. WRIGHT: No public comments.

14 DR. LYNCH-WALSH: Nobody's here yet? Okay.  
15 Can't approve the minutes yet.

16 So what we can do is then go right into the  
17 RSM Roofing Analysis Follow Up. Let me pull that  
18 up.

19 MR. RHODES: Okay. If I may?

20 DR. LYNCH-WALSH: Oh, we're going to need a  
21 couple minutes for them to get in place?

22 MR. RHODES: We have a couple of call-ins,  
23 Ruth Carter-Lynch call-in, Peter Turso call-in,  
24 and, currently, staff is checking on the  
25 remainders to find out exactly what the situation

1 is with them.

2 DR. LYNCH-WALSH: Okay.

3 MR. RHODES: Mr. De Meo is here in the  
4 parking lot.

5 DR. LYNCH-WALSH: Okay. Well, he's got a  
6 seat. So only one person from RSM?

7 Oh, you guys are not going to sit together?  
8 Because what are you guys here to talk about  
9 later? Where are they trying to put you?

10 Oh, we did roll call, but I guess we're going  
11 to have to find out why people are here. Because  
12 I see Omar. We have additional people in the  
13 room and I'm not sure why they're here.

14 MR. RHODES: Okay. If I may?

15 DR. LYNCH-WALSH: I mean, I know why one  
16 person's here.

17 MR. RHODES: If I may also give an update?  
18 In addition to Mr. De Meo being in the parking  
19 lot, I just learned that Mary Fertig will be here  
20 within 10 minutes.

21 DR. LYNCH-WALSH: Mm-hmm. Okay.

22 Mr. Mayersohn, just be careful when you move.

23 All right. Yes?

24 MR. SHIM: Yes, I'm here for Erum Motiwala.  
25 She's -- I'm her designee. And Mervin is here

1 for the fund balance.

2 DR. LYNCH-WALSH: But doesn't he work for Ms.  
3 Motiwala and you do not?

4 MR. SHIM: Yes, I work for Erum Motiwala.

5 DR. LYNCH-WALSH: Oh, that's right, in a  
6 different department though? You're capital, not  
7 general.

8 MR. SHIM: But I'm here as her designee.

9 DR. LYNCH-WALSH: Okay. You're here -- all  
10 right.

11 Who's here for the superintendent?

12 MR. RHODES: I don't think anybody is.

13 DR. LYNCH-WALSH: Okay. Okie-Dokie then.  
14 All right. Oh, good, RSM is in place. Are you  
15 guys comfortable? You have microphones? Because  
16 we can move people out of the way if -- are you  
17 sharing a microphone?

18 MS. ARCESE: There are two here.

19 MR. BLONDELL: We'll be okay.

20 DR. LYNCH-WALSH: Okay. All right. So this  
21 is -- who wants to introduce this? The long  
22 awaited follow-up to the roofing process  
23 analysis. Mr. Rhodes or --

24 MR. RHODES: Yeah.

25 DR. LYNCH-WALSH: On behalf of RSM?

1 MR. RHODES: Yeah, this is the third and the  
2 most recent follow-up to nine outstanding  
3 findings from the prior roofing audits and RSM is  
4 here to give us an overview of which findings  
5 have been closed, which remain open, and the  
6 justification for those things.

7 If you'd like to go ahead, Chris?

8 MR. GUMS: Sure. So just a little bit of  
9 background. First of all, Chris Gums, Manager,  
10 RSM.

11 So our objective for this was to perform  
12 follow-up procedures for our original roofing  
13 report which was issued back in September of 2020  
14 to essentially determine whether the issues from  
15 that report have been addressed or mediated. I  
16 know it's been almost four years since that  
17 report, so I will provide a little bit of context  
18 here.

19 So when we performed our original analysis in  
20 2020 CBRE Heery was the program manager and by  
21 the time we issued our report the district was  
22 transitioning from Heery to AECOM. Once AECOM  
23 was on board, a lot of their early initiatives  
24 focused on roofing, as we've noted throughout the  
25 report, given some of the past challenges which



1 we highlighted in our original analysis.

2 So in 2021, as Mr. Rhodes mentioned, we  
3 issued a May update, which was sort of a quasi  
4 follow-up report, which you can find in Appendix  
5 B. And that wasn't a quote-unquote follow-up  
6 formally, but more of an informational update on  
7 some of the changes that were being made at the  
8 time since our original analysis. Again, AECOM,  
9 had just started implementing some of the new  
10 processes and initiatives, you know, during their  
11 onboarding, but there wasn't necessarily enough  
12 data to show whether those processes were  
13 effective yet.

14 Fast forward to today, there is enough  
15 information and data out there to conclude on  
16 some of these observations. So for this report  
17 we had nine total from our September 2020  
18 analysis. We were able to close seven during our  
19 follow-up. So we have two open prior  
20 observations.

21 So for the sake of time I'll provide a  
22 summary of those two that are open and then if  
23 there are any questions on the things that we  
24 closed we can kind of go back and talk about that  
25 as well.

1           So I'll start on page 7. So this is prior  
2 observation number 2, this observation related to  
3 the lack of a strategic long-term plan for  
4 roofing. For example, there wasn't a  
5 program-wide strategy or plan in place, at least  
6 documented, to make sure that the district wasn't  
7 going to, for example, spend money replacing a  
8 roof that would outlive, you know, the useful  
9 life of a building, for example. So our  
10 recommendation was to, one, develop a strategic  
11 plan considering the conditions of the existing  
12 roofs and buildings throughout the district, but,  
13 also, potentially, solicit the help of a third  
14 party to perform those roof condition assessments  
15 to help come up with that program-wide strategy.  
16 So today the district hired a roof asset  
17 management company, which is Bluefin, to  
18 basically manage the entire roofing program with  
19 help from district staff, of course. And we  
20 provide on this page some of the key  
21 responsibilities of the roof asset management  
22 consultant in the bullets here. And that  
23 agreement was approved in October of 2023, so  
24 relatively recently.

25           Moving down a page to page 8, here we provide

1 an update on where Bluefin is in terms of their  
2 roof assessment, warranty inspections, et cetera.  
3 So their work is well underway at this point,  
4 which will be used to essentially develop that  
5 program-wide long-range plan. So a lot of good  
6 things happening here. However, you know, we  
7 kept this observation open given that a plan has  
8 not been developed yet.

9 OCP, the Office of Capital Programs, did  
10 provide a response here. The strategic plan is  
11 obviously dependent on the next facilities  
12 condition assessment, which according to OCP,  
13 they have selected a vendor to perform that  
14 assessment and that's supposed to go to the board  
15 for approval in August. So in reality in terms  
16 of an estimated completion date for this, you  
17 know, we're looking at at least 20 months before  
18 a plan can be finalized since that FCA needs to  
19 be completed.

20 Okay. Moving down to prior observation  
21 number 5, and that would be on page 14, this is  
22 Roof Sub-Permitting Process is Manual and  
23 Printed. This observation highlighted the manual  
24 nature of the district's sub-permitting process.  
25 Just for some background, essentially, the

1 roofing is subcontractor would put together a  
2 large roofing binder with all the required  
3 documentation for permitting. That binder would  
4 then be hand-delivered to the building  
5 department. The building department would then  
6 review that binder, provide comments in the  
7 district's permitting website, which is ISS, and  
8 then the contractor would review those comments,  
9 come pick up their binder and repeat that process  
10 until it's approved. Our recommendation was to  
11 implement an electronic plan review system so  
12 that everything can be done in one place  
13 essentially. For our follow-up we had  
14 discussions with the building department and  
15 several other district stakeholders, as well, to  
16 understand where they were with that process. In  
17 our May 2021 update that was something that they  
18 were looking into and kind of prematurely, you  
19 know, testing the waters for what's out there.  
20 So as of the date of this report the sub-permit  
21 process is generally the same. But as the  
22 building department noted in their response, they  
23 are in the process of hiring a vendor to provide  
24 an electronic plan review system and they have  
25 recommended a vendor but they are in the

1 negotiations phase. So we left this observations  
2 open.

3 So I'll open up to questions and actually  
4 close just by saying, you know, for plan review  
5 and sub-permitting and a lot of these other  
6 observations we did see significant improvement  
7 based on the data, some of the processing time  
8 for plans and permitting but also the resources  
9 dedicated from the building department and  
10 inspections as well.

11 DR. LYNCH-WALSH: Okay. Does anyone have any  
12 questions or comments? We'll try to go in order.  
13 I've got my tabs. You were hitting most of my  
14 tabs.

15 Who is this?

16 MR. RHODES: Is that Mr. Turso? Oh, maybe  
17 they're not talking. Mute. We need to mute.

18 Who is this?

19 MR. NAVARRETE: Hello?

20 DR. LYNCH-WALSH: Yes.

21 MR. NAVARRETE: This is Leo Navarrete with  
22 HCT.

23 MR. RHODES: Leo, we're on a different item  
24 right now. We'll have Wanda contact you when  
25 your item's up.

1 MR. NAVARRETE: All right. Thank you.

2 DR. LYNCH-WALSH: That's not going to go  
3 well.

4 MS. STRAUSS: Who was that?

5 DR. LYNCH-WALSH: HCT. They're trying to do  
6 this on the phone?

7 MR. RHODES: One is here and then that's the  
8 manager who is assisting.

9 DR. LYNCH-WALSH: Okay.

10 All right. So anyone on the audit committee  
11 -- oh, Mary?

12 MS. FERTIG: Good morning.

13 DR. LYNCH-WALSH: Good morning.

14 MS. FERTIG: I just -- you were commenting as  
15 I came in on the one thing that I wanted to make  
16 a comment on. I cannot believe it takes almost  
17 four years to get this software that I remember  
18 we had the conversation on that and other audits  
19 we had. I know this isn't you, Dave, but I'm  
20 just saying, I just find that incredible that we  
21 can't get these things in place in a more timely  
22 manner, particularly when we read some of the  
23 other audits about how things are done with IT.  
24 So I would just -- just make sure that we call  
25 out the fact that this particular thing is almost

1 four years since the time the recommendation was  
2 made.

3 DR. LYNCH-WALSH: You mean the report?

4 MS. FERTIG: No, the suggestion to get the  
5 technology in place rather than the manual.

6 DR. LYNCH-WALSH: Oh, girl, they don't have  
7 it yet.

8 MS. FERTIG: I understand. I understand  
9 that. I'm saying we're almost four years in  
10 place and they're just negotiating on it at this  
11 point. I find that inexcusable and I think we  
12 should call that out to the board. Because we  
13 did have a conversation on that at the time.

14 DR. LYNCH-WALSH: Well, let's tear that  
15 apart. Let's tear apart what has transpired  
16 first and then we'll have a full picture of what  
17 we're going to relay to the board. Because the  
18 fact that they're negotiating and we don't know  
19 what they're negotiating is one of the -- is one  
20 of my sticky tabs here.

21 You have a question; comment; concern?

22 MR. MAYERSOHN: Yeah, my only comment is, I  
23 don't see anywhere in here, and maybe this is not  
24 the appropriate place to comment on this, but one  
25 of the things that the challenge with the bond

1 was there wasn't enough money. I don't see  
2 anywhere where there's the connection of  
3 maintenance and a funding stream. So --

4 DR. LYNCH-WALSH: For roofs you mean?

5 MR. MAYERSOHN: Yeah. In other words, you  
6 can say, look, we're going to do these roofs and  
7 here's what the process is for the next 10 years,  
8 but if there's not funding to do that, you're not  
9 going to be able to provide roofs.

10 DR. LYNCH-WALSH: I think the DEFP does have  
11 a line item for the roofs. Didn't we have this  
12 discussion last week, Omar, at FTF, and we asked  
13 whether that was for the report or the actual  
14 roof work?

15 MR. SHIM: Yes. Good morning, Omar Shim,  
16 Director of Capital Budget. The DEFP currently  
17 has funding for -- for the roof asset management  
18 program.

19 MR. MAYERSOHN: The program, but not the  
20 implementation of the roof?

21 MR. SHIM: Right.

22 MR. MAYERSOHN: Right.

23 MR. SHIM: So a recommendation came forward  
24 to fund certain items that were identified in the  
25 roof asset management -- their walkthroughs, to



1 address certain roofs, and that is -- that is now  
2 being discussed. And it was discussed in the May  
3 workshop to fund certain roofs that they have  
4 identified through the program.

5 MR. MAYERSOHN: Right. So I guess -- and,  
6 again, this may not be the place to discuss this  
7 because this is obviously the funding aspect, but  
8 it's great that you have -- you're putting a  
9 system in place, but, again, very similar to, you  
10 know, the bond is that you may want to do these  
11 four roofs this year or this coming fiscal year,  
12 you've got to find the money to be able to do  
13 that, and then as the program continues to go,  
14 capital funding is limited. Where are you going  
15 to get the money from? And that's my concern is  
16 that this may be a great program, but at the end  
17 of the day we're going to be back to square one  
18 if we're not able to fund any of these capital  
19 projects. And not just roofs, any of the  
20 infrastructure. So -- I mean, you don't have  
21 to -- I mean, again, this is not part of the  
22 audit, but it's just a -- call it an unintended  
23 consequence of the audit.

24 DR. LYNCH-WALSH: When was Budget Workshop  
25 Number 5, since I see we don't have Budget

1 Workshop Number 6 stuff up yet.

2 MR. SHIM: That was May 29th, I believe.

3 DR. LYNCH-WALSH: Oh, that's what I was  
4 pulling up. I'm just trying to pull up as we're  
5 talking about the topic to pull it up.

6 MR. SHIM: Right. And through the Chair,  
7 the -- the funding that's being recommended is to  
8 address the roofing that's identified in the -- I  
9 guess their walkthroughs. And the idea is that  
10 we are doing -- supposed to be doing a long-range  
11 plan, and so you addressed that maybe, you know,  
12 you want to look at the entire facilities and  
13 make sure that you're not doing roofs, investing  
14 in roofs. So we are sort of gauging the funding  
15 more geared towards the long-range facilities  
16 plan and things like that for future years.

17 DR. LYNCH-WALSH: So if I can translate what  
18 you're saying, it's not the Bluefin deficiencies  
19 that have been identified that you're funding,  
20 it's short-term things that have been found now?

21 MR. SHIM: It is a product of the work that  
22 Bluefin did -- has done so far.

23 DR. LYNCH-WALSH: So far.

24 MR. SHIM: Correct.

25 DR. LYNCH-WALSH: Okay.

1 MR. SHIM: Correct. And we reviewed those in  
2 terms of what the facilities were.

3 DR. LYNCH-WALSH: Is that in the  
4 presentation?

5 MR. SHIM: It is -- you just passed it.

6 DR. LYNCH-WALSH: On page?

7 MR. SHIM: Page 8?

8 DR. LYNCH-WALSH: The 4 million.

9 MR. SHIM: That's correct.

10 DR. LYNCH-WALSH: Okay. All right. So to  
11 answer your question, so far 4 million is what  
12 they're recommending.

13 MR. MAYERSOHN: I don't know how far 4  
14 million goes.

15 DR. LYNCH-WALSH: It depends on the school.

16 MR. MAYERSOHN: Right. But, as I said, this  
17 is not part of this discussion, it's just a, you  
18 know, unintended consequence. Let's put it that  
19 way.

20 DR. LYNCH-WALSH: Back to our agenda. Okay.  
21 So, for me -- anybody else; question; comments?

22 MR. DE MEO: I just had a brief --

23 MS. FERTIG: I have some.

24 DR. LYNCH-WALSH: I'll come back to you,  
25 Mary. Mr. De Meo.

1 MR. DE MEO: Just a brief comment. One of my  
2 concerns with the original report was that there  
3 didn't seem to be a plan to identify the order of  
4 the process. In other words, which roofs needed  
5 replacing as priority items? And the response,  
6 originally, to the first finding in the first  
7 report said that management was going to  
8 establish a focus and collaborative roofing team  
9 and so on. Another concern I had was, I think  
10 the report revealed or someone revealed that we  
11 didn't have engineers going out or roofing  
12 contractors going out and inspecting the roofs,  
13 that we left that task to others less qualified.

14 So my question is, do we have a plan based on  
15 the priority -- based on priority of need in  
16 place to replace the -- to fix the roofs that  
17 need fixing?

18 And then, second, who -- who -- you know, who  
19 are the people involved in inspecting these  
20 roofs?

21 DR. LYNCH-WALSH: So I think he's asking --  
22 so when you say, we didn't have engineers, do you  
23 mean during the needs assessment or doing  
24 inspections -- during the needs assessment?

25 MR. DE MEO: Right.

1 DR. LYNCH-WALSH: Okay. Because we were also  
2 falling behind on doing the warranty inspections  
3 required once you put a new roof on. So we were  
4 in danger of having new roofs put on through the  
5 SMART program that were falling out of warranty.  
6 And they were tracking that via Excel  
7 spreadsheets and basically every time I would ask  
8 about it people would hurry up and go jump on a  
9 roof to go inspect.

10 So now that Bluefin is on board they should  
11 be everything you just mentioned, but, RSM, you  
12 can confirm, based on the scope of work they  
13 should be assessing, prioritizing, making sure --  
14 managing the warranty inspections? Because AECOM  
15 is responsible for the first year and then the  
16 district is responsible and it's the after AECOM  
17 was done that wasn't happening.

18 So is it your understanding that Bluefin  
19 would be doing all of that?

20 MR. GUMS: That is my understanding based on  
21 our review of the RFP agreement is that that is  
22 their responsibility, yes, and that that  
23 information will be incorporated into the future  
24 facilities condition assessment program-wide, not  
25 just roofing. So, you know, based on their

1 response in this report, you know, all of that is  
2 considered.

3 MR. DE MEO: And then finally, just briefly,  
4 Mary touched on the timing of all of this. It's  
5 incredible. I know there is 241 roofs and I know  
6 it exceeded the capacity of this county to  
7 provide those kinds of services, but it seems to  
8 me a four-year timeframe for software, four-year  
9 timeframe to identify if the roof needs to be  
10 replaced, I'm not so much interested in what's  
11 past as much -- only to the extent it can help us  
12 in the future to avoid these kinds of, you know,  
13 problems. That was just a comment.

14 DR. LYNCH-WALSH: Mary?

15 MS. FERTIG: Yeah, I was just going to follow  
16 up on that. You probably already know, so I  
17 don't need to say this but on page, whatever, the  
18 district FCA --

19 DR. LYNCH-WALSH: Is your mike on?

20 MS. FERTIG: I thought it was. Yes. Thank  
21 you. The comment that the FCA process --

22 DR. LYNCH-WALSH: Which page?

23 MS. FERTIG: 8. And the -- the -- the  
24 roofing -- the RAMC processes weren't necessarily  
25 coordinated and they are now. But, I mean, I

1 just think these are things that we keep seeing.  
2 So you'll know better whether they actually have  
3 coordinated those, but I find it alarming.  
4 These, in my mind, were some of the simpler  
5 things that could have been accomplished when  
6 this audit came out four years ago and I find it  
7 alarming that we just don't do it. Because we  
8 keep making -- one of the things that we keep  
9 seeing consistently in every audit is the fact  
10 that we're not tracking stuff because we don't  
11 have the software or the technology in place to  
12 do it. And this is just one more time when it  
13 could have been done, you know, a little more  
14 quickly, and I thought we were told it was going  
15 to be. Maybe I'm mixing that up with another  
16 audit where we didn't have the software in place  
17 and they were doing everything manually. But I  
18 just -- I just feel like -- I don't know who's  
19 responsible for this, but at some point I think  
20 that the board and the superintendent need to  
21 have that conversation about what's going to be  
22 put in place to make sure these things are done  
23 in a timely manner.

24 DR. LYNCH-WALSH: Okay. So anyone else?  
25 Because I am going to address that.

1           So in terms of -- of who's responsible, think  
2           about when they did the first report in 2020,  
3           everything that's happened since. And one of the  
4           reasons for having something like enterprise risk  
5           management and a strong system of internal  
6           controls is to have an organization that -- have  
7           a structure in place so no matter who the board  
8           members are, no matter who the superintendent is,  
9           and no matter how many people are running  
10          facilities there's a structure in place that says  
11          these are the rules you play by, so that  
12          everybody that comes in knows what they're  
13          supposed to be doing. Because what's happened is  
14          that we have had complete chaos since this  
15          2020 -- we were in the middle of COVID, then we  
16          came out of that, and we've had, let's count  
17          superintendents. We had Runcie go in '21? I'm  
18          losing track. But then we had interims, we had  
19          Cartwright, Smiley, Licata, we're now on Hepburn.  
20          Did I miss somebody? And then on the facilities  
21          side we went from Girardi to Bays, Czubkowski and  
22          now we don't -- oh, and, once again, contrary to  
23          the Council of Great City Schools recommendation  
24          to have a facilities chief, we don't have a  
25          facilities chief anymore. And we just passed --



1 they just forced out -- the person with the most  
2 technical expertise in facilities is being forced  
3 to retire in August. And there's no chief. But  
4 there is a chief operations officer.

5 So Mrs. Strauss' point about enterprise risk  
6 management, because in my 12 years I can't come  
7 to any other conclusion than we need a structure  
8 that will withstand whatever changes and whatever  
9 chaos is going on.

10 MR. DE MEO: Very well said about up to the  
11 point about ERM and internal controls and despite  
12 whoever is on the board, that was -- that should  
13 be bolded and underscored. That's exactly how it  
14 should work.

15 DR. LYNCH-WALSH: Do I trust the district to  
16 implement it with fidelity? No. But that's a  
17 whole other discussion.

18 All right. So on page -- wait, because I'm  
19 trying to stay on roofs -- I'm with you on ERM.  
20 Is your comment on roofs?

21 MS. STRAUSS: Yeah. Well, I mean, to your  
22 point Nathalie, that we don't have the confidence  
23 for this district to implement it with fidelity,  
24 I think that's a big problem that needs to be  
25 addressed. We've been talking about this now,

1 that we want this. There was a motion, correct  
2 me if I'm wrong, that was brought --

3 DR. LYNCH-WALSH: They said the  
4 superintendent's looking into it, but I'll go  
5 over where we are on our motion.

6 MS. STRAUSS: Okay. Because I'd like to make  
7 another motion.

8 DR. LYNCH-WALSH: Oh, we're going to be  
9 making -- we're going to have to keep making the  
10 same motions.

11 But, anyways, so I'm starting on page 8. At  
12 the top of page 8, RSM obtained the roof asset  
13 management consultant's April 2024 monthly  
14 report. Is that included in this report?

15 MR. GUMS: The physical document?

16 DR. LYNCH-WALSH: Correct.

17 MR. GUMS: No, ma'am.

18 DR. LYNCH-WALSH: Okay. I'd like to request  
19 that. Because you know what I've never seen,  
20 that report? Didn't know they were doing one.  
21 Barely knew they were here. Because in the  
22 entire time that Czubkowski was the facilities  
23 chief I've had to do public records requests as  
24 the chair of the Facilities Task Force because we  
25 were getting nothing out of the district,

1 including this report. Did not know it existed.  
2 And I think we would like to see it because it  
3 would also answer Mr. De Meo's question about  
4 prioritization. We don't know how much. We  
5 don't know what the report looks like.

6 So, Mr. Rhodes, can we get a copy of that  
7 report?

8 MR. RHODES: Yes.

9 DR. LYNCH-WALSH: And there is a draft roof  
10 asset management plan that's been provided. So  
11 it sounds like Bluefin's doing what they're  
12 supposed to be doing but we're keeping it a  
13 secret. Because I remember this, because I  
14 remember Shelley writing the solicitation,  
15 including 10 year cost estimates for maintenance  
16 and repair of the 46 surveyed facilities. So  
17 they've conducted 18 warranty inspections and is  
18 working with the district to compile warranty  
19 information and file inspection reports for all  
20 BCPS facilities.

21 So everything mentioned there, the warranty  
22 inspections, I think we'd like to see all of  
23 that. So if you could get that and send it to  
24 the group? Whether they want to read warranty  
25 inspections is up to them. But I would

1 certainly -- it's needed for FTF, as well.

2 Let's see, currently, assessment data and  
3 roofing information are documented and stored in  
4 the RAMC's internal software, "Perform".

5 According to representatives from the Office of  
6 Capital Programs and PPO the district is working  
7 with the roof asset management company to  
8 integrate and transfer data from Perform to  
9 Maximo.

10 So I remember it being critical that they be  
11 able to integrate. So if that doesn't happen  
12 with some degree of fidelity, something has gone  
13 terribly wrong, because that was a requirement.  
14 So if there's a user error on the district side  
15 preventing it from happening, we'll find out.

16 In addition, RSM reviewed -- let's see, dah,  
17 dah, dah, dah, the Facilities Task Force  
18 communicated concerns that we had about how the  
19 solicitation was written. We'll see who gets  
20 awarded. One of our concerns was about having a  
21 sub that, working for the company doing the  
22 facilities condition assessment, the possibility  
23 of having a sub that works on the SMART program  
24 also assessing. I haven't seen the submissions,  
25 so I can't say that that's happened. So we'll

1 see once we can get copies of the proposals if  
2 there is a sub for the facilities condition  
3 assessment consultant that is also working on the  
4 SMART program because the solicitation didn't  
5 prohibit that; believe it or not.

6 Let's see, comprehensive long-term -- there  
7 is supposed to be a long-range facilities master  
8 plan steering committee. We last met in May. We  
9 cannot seem to get a date out of the  
10 superintendent, but they are having a meeting  
11 with all of the advisory chairs, because we seem  
12 to be staying away from the people that actually  
13 are informed about facilities and the processes  
14 and the data that should be gathered and are  
15 choosing instead to go to the masses for  
16 feedback.

17 MS. FERTIG: When is that meeting?

18 DR. LYNCH-WALSH: The 26th. You should have  
19 gotten an email.

20 MS. FERTIG: June?

21 DR. LYNCH-WALSH: On Teams.

22 Okay. But, again, the steering committee for  
23 the long-range facilities master plan, the  
24 district paid AECOM to develop a framework that  
25 they are not following. So just like the Council

1 of Great City Schools said there was no long-term  
2 plan, you guys found that with roofing and  
3 overall when you did the initial report, we are  
4 trying to not do long-range planning with  
5 fidelity again.

6 Let's see, management's response. And I do  
7 think your concern here as the district begins  
8 the FCA process, we encourage the district to  
9 verify that the findings and analyses from both  
10 the roof asset management company and FCA  
11 consultants are considered in the development of  
12 the long-range plan. Without this coordination  
13 there is a risk of isolated decision making, such  
14 as recommending the replacement of a roof on a  
15 building scheduled for demolition. I think  
16 that's a valid concern that I share. I think we  
17 all share. So I think that should be  
18 highlighted.

19 Let's see, so the reporting -- next sticky I  
20 have was on pages 14 and 15. It had to do with  
21 the manual sub-permitting process. The current  
22 observation process spoke to they no longer have  
23 a plan to integrate ISS with e-Builder but  
24 instead is in the process of procuring a third  
25 party electronic review system, oh, through a

1 noncompetitive solicitation. Is this why? What  
2 do they mean by noncompetitive solicitation?  
3 Because that was my first question, how are they  
4 procuring it; piggyback; direct negotiation?  
5 What could go wrong with that? Is that something  
6 you would have recommended that they do  
7 noncompetitive? RSM?

8 MR. GUMS: So the details of the solicitation  
9 I will say, through our discussions with the  
10 building department, it was very close to the  
11 hip. We do not have a ton of information  
12 regarding, you know, what that contracting  
13 process is looking like. Given that it is a  
14 noncompetitive, it's not a public RFP or RFQ, so  
15 we do not have insight into the methodology or  
16 thinking behind the noncompetitive solicitation.

17 DR. LYNCH-WALSH: Okay. So today we're also  
18 going to be discussing an intercom system where a  
19 solicitation was put out and then they did the  
20 specifications. So why is -- how -- do we not  
21 learn anything around here?

22 So what they're doing, we don't know. We  
23 don't know what the requirements are. We don't  
24 know if it will do anything that people think it  
25 does, because in 2018-19 the world said you

1 should start having emergency communication  
2 systems, but we somehow think we're getting 1950s  
3 PA systems and that will suffice. So a  
4 noncompetitive solicitation --

5 MS. STRAUSS: That does not sit well.

6 DR. LYNCH-WALSH: No, because that was my  
7 first question is, how was it procured? So it's  
8 not even a piggyback, just straight-up secret.

9 MS. FERTIG: Can you -- Nathalie, can you,  
10 while you're on this point as -- can we ask who's  
11 in charge of this procurement?

12 DR. LYNCH-WALSH: That is my next question.  
13 Because I'm looking and I don't see anybody that  
14 falls necessarily into that category. Because  
15 AECOM is in charge of the capital program, but  
16 who is driving the bus on a noncompetitive  
17 solicitation for something as critical -- I mean,  
18 granted, we're going to be at the end of the  
19 program in the next year, but we still do  
20 projects, routine projects, ADA projects, all  
21 kinds of projects. PPO does projects, although  
22 nobody knows how they track them. So there's  
23 nobody that can explain -- who is this management  
24 giving the response on page 15?

25 MR. GUMS: This is from the building



1 department. Perla, the chief building official.

2 DR. LYNCH-WALSH: Perla? Okay.

3 So, Mr. Rhodes, is -- so for this response, I  
4 know I can't think of everybody, but for this  
5 particular item, they didn't -- I see that we  
6 have AECOM back there, but they can't speak to  
7 things the district is doing that's independent  
8 of what they're responsible for.

9 MR. RHODES: No, my understanding is that  
10 Perla is on vacation.

11 DR. LYNCH-WALSH: That's true.

12 MR. RHODES: But I've already made notes to  
13 talk to Perla first to get some information on  
14 this and then to talk with Ms. Andreu to find out  
15 if Procurement is aware of this plan.

16 DR. LYNCH-WALSH: Okay. But I'm going to  
17 suggest this. I don't know Perla very well, but  
18 she doesn't strike me as the type to go rogue  
19 either. So -- so who is minding the store?  
20 Because the building department, up until July,  
21 reports to whom; the superintendent?

22 MR. RHODES: I thought it was Ms. Marte.

23 DR. LYNCH-WALSH: It could be. I get  
24 confused because we keep changing it. So -- and  
25 Mrs. Marte was not on the renew list, but she

1 wasn't also retiring. And why is she not here  
2 then to speak? Because the building department  
3 cannot do something on it's own.

4 MS. STRAUSS: Isn't she gone?

5 DR. LYNCH-WALSH: No.

6 MS. FERTIG: I thought she was retiring as of  
7 June 30th; isn't she?

8 MR. RHODES: The only information that I have  
9 for her today was that she declined the  
10 invitation to attend this meeting.

11 DR. LYNCH-WALSH: Okay. So, unlike a  
12 birthday party that you can decline, there's a  
13 policy that says that if you have an item, an  
14 audit item, you're supposed to be there to answer  
15 questions. It's in the Office of the Chief  
16 Auditor's policy. People can't decline  
17 invitations like we've invited them to tea.

18 MS. FERTIG: You know, I would say that we  
19 all seem to have pulled out the same major  
20 concerns here and that we take one of two courses  
21 with this. That we either table it until next  
22 month when we have someone here to address them  
23 or we make recommendations to the board about  
24 addressing this in a timely manner. And I think  
25 that we call out -- my concern is there's so much

1 in here that it may not get called out, so we  
2 call out in our motion our two major concerns,  
3 which --

4 DR. LYNCH-WALSH: Well, right, but we don't  
5 meet next month. We don't meet again until  
6 August.

7 MS. FERTIG: Well, I meant to table it until  
8 our next meeting. So then we have to work with  
9 those recommendations.

10 Nathalie, you raised -- I think we're all  
11 sitting here wondering how they recommended this  
12 electronic --

13 DR. LYNCH-WALSH: Right.

14 MR. RHODES: And we haven't gotten anything.  
15 We have follow-up to our motions. You know,  
16 maybe on these, at least on the audits, the board  
17 needs to do the same thing and keep track of  
18 what -- I would say that everything that I have  
19 seen RSM recommend over the years that has,  
20 actually, been done has been so beneficial for  
21 this district. What isn't beneficial is when we  
22 just delay, delay, delay or don't do it.

23 DR. LYNCH-WALSH: Right. So I'm not done  
24 with my -- my comments on this particular one.  
25 And, yeah, the idea -- I didn't see the

1 noncompetitive solicitation before, so that's why  
2 I had a question about how was it done. And the  
3 fact that there's no one here to speak to that  
4 and that Perla is being credited with doing this  
5 all by herself is problematic for me.

6 So my second question is, how will this new  
7 system integrate with the other systems in terms  
8 of -- so how is it compatible? Were you -- was  
9 that part of what you asked about, RSM?

10 MR. GUMS: We did ask if it would integrate  
11 with e-Builder. The building department's  
12 response to that was no. They are attempting,  
13 and, again, I would defer to management regarding  
14 the specifics of what they're looking for and  
15 what the solicitation includes, but we did ask  
16 the question, you know, will this system  
17 completely replace ISS? What will be included in  
18 this new system? And the goal is to have  
19 everything in one place, plan review,  
20 sub-permitting, inspections, et cetera, but my  
21 understanding is that there is no intent to  
22 integrate with e-Builder.

23 DR. LYNCH-WALSH: Okay. Does it integrate  
24 with anything? Maximo?

25 MR. GUMS: We don't know what system they are

1 ultimately selecting.

2 DR. LYNCH-WALSH: True. Fair inform. Okay.

3 So think of motions related to that, because  
4 if it were me I'd say they need to cease and  
5 desist with this negotiation and somebody needs  
6 to review what they're attempting to acquire,  
7 otherwise, we're going to end up with intercom  
8 debacle again.

9 MR. RHODES: Madam Chair?

10 DR. LYNCH-WALSH: Yes, sir.

11 MR. RHODES: I just wanted to point out that  
12 in that management response it identifies  
13 building department, IT department and fire  
14 department have reviewed various electronic plan  
15 review programs and have recommended negotiations  
16 with a vendor. I think -- that's just to be fair  
17 to the comment that this is all on Perla. There  
18 may be some follow-up discussions that need to  
19 happen with that entire group to find out why  
20 this is being done noncompetitive.

21 DR. LYNCH-WALSH: Okay. So let's talk about  
22 IT for a second. Since our last meeting what has  
23 happened in IT?

24 MR. RHODES: The chief has resigned and moved  
25 on.

1 DR. LYNCH-WALSH: That would be Dr. Phillips.  
2 Gone. The fire department, how long has the fire  
3 chief been here and is that who -- the new one?

4 MR. RHODES: To the best of my recollection  
5 it's been about four months.

6 DR. LYNCH-WALSH: Okay. And in our -- so I  
7 would say, in my experience, if what you're doing  
8 passes the smell test, you should have no problem  
9 putting it all out there. RSM should not not  
10 know exactly what it is they're procuring,  
11 because they should have their requirements  
12 clearly laid out and how it's going to integrate.  
13 This cloak and dagger business did not -- it  
14 doesn't work well. It never ends well.

15 So, hold on, I have a couple more tabs and  
16 then we can come back to the things we've pointed  
17 out here.

18 So on page 19, because this is related, lack  
19 of formalized procedures and resources for  
20 inspections. And this is one you guys were  
21 saying was closed, but it says, your prior  
22 recommendation, we recommend the following,  
23 implementation of an electronic system to  
24 schedule and manage inspections. I would think  
25 that whatever solution they were coming up with

1 should also do that, but we don't know what  
2 they're doing. What they have come up with,  
3 restructure, now has the clerk specialist  
4 dedicated to roofing, they can call somebody. I  
5 don't think that they have done that. Because,  
6 to me, phones and email do not equal automation.

7 So I would -- I think number 7 needs to stay  
8 open until we get an answer to number 5, because  
9 that should all be part and parcel if you're  
10 going to automate. I can't imagine that there  
11 aren't packages, programs out there that automate  
12 your entire building department. And I want to  
13 say that the people that do Maximo have products  
14 like that, too. And who knows if that -- since  
15 we didn't do competitive -- I just can't even say  
16 it out loud that they didn't do a competitive  
17 solicitation.

18 All right. So -- then, we'll see if we need  
19 a motion to keep that one open.

20 Number 9 -- no, nothing on number 9.  
21 Actually, at the bottom of page 23, this is on 8,  
22 so I just have a comment here. It says --  
23 because I agree with your comment, however, we  
24 encourage the district to continue exploring  
25 opportunities to update or expand its design

1 standards. This should tie into long range  
2 planning. So I don't know if this, too, kind of  
3 needs to stay open or be tacked onto the one that  
4 is open, that -- because we're going to have a  
5 discussion and also on for ISS being replaced,  
6 the design standards, any specifications should  
7 be updated before procurement. Like you should  
8 know what it is you intend to procure and be  
9 clear before trying to procure it. So if -- I  
10 fear that if they do not make -- if you don't  
11 make that clear we will be fighting in the  
12 long-range process to have them make sure that  
13 they update everything. They did start with  
14 AECOM. They tried updating policies, edSpecs,  
15 but I don't believe that they had tackled design  
16 and materials, the standards in design  
17 specifications, which that was supposed to be  
18 done with Heery and also AECOM, but intercoms  
19 were not part of that exercise ever. So I  
20 don't -- I'm not saying this necessarily, I would  
21 say, needs to stay open, but it just needs to be  
22 a part of any long-range planning, that they  
23 update or expand design standards, clarify or  
24 whatever.

25 So those are my comments, if we want to



1 double back and see if we want to -- now that we  
2 have -- I believe we have quorum. So we could  
3 re-visit our concerns and pass some motions.

4 So --

5 MS. FERTIG: I know Ms. Strauss had a motion,  
6 so I'll wait for that.

7 DR. LYNCH-WALSH: Not for this.

8 MS. STRAUSS: Later.

9 DR. LYNCH-WALSH: She's got later.

10 MS. FERTIG: Okay. So I'll take a stab at a  
11 motion and see where it goes.

12 MR. MAYERSOHN: So are we going to table  
13 this?

14 MS. FERTIG: No, actually, I was going to  
15 move to transmit it to the board. Because if we  
16 don't meet until August, it's too long. We're  
17 waiting -- we're months ahead and they need to  
18 take care of some of this.

19 DR. LYNCH-WALSH: Right. I can bring it to

20 --

21 MS. FERTIG: So can I give this a stab and  
22 you can add to?

23 DR. LYNCH-WALSH: Yeah. Yeah.

24 MS. FERTIG: Okay. So I move to transmit  
25 with expressing our concern with the length of

1 time to convert from manual to electronic, the  
2 noncompetitive bid with information not available  
3 to the auditors, and to encourage the district to  
4 update and expand design -- what did you say  
5 design standards, Nathalie?

6 DR. LYNCH-WALSH: Yeah.

7 MS. FERTIG: Now, there may be more than that  
8 but I was trying to get them as you all were  
9 talking.

10 DR. LYNCH-WALSH: Okay. Length of time,  
11 noncompetitive. But with the noncompetitive bid,  
12 if we don't give them something tangible, like we  
13 recommend the district cease negotiations --

14 MS. FERTIG: I'm worried that -- I think we  
15 expressed concern. They've got to take this up  
16 at some point. When we're telling them that  
17 we're concerned there's a noncompetitive bid and  
18 no information available, if they don't take it  
19 to the next step and say, what are you talking  
20 about, I don't know what more we can --

21 MS. STRAUSS: I don't want to face these  
22 negotiations because that will take us 40 steps  
23 back from getting anything across the finish  
24 line, but I don't want them to just stop  
25 discussions, because maybe they are appropriate.

1 We don't have enough information. Nobody has  
2 enough information. Get the information, and, as  
3 Mary said, if the board can't figure this out  
4 when we raise this to them, that there is  
5 noncompetitive bidding going on, then we've done  
6 our job. I'm sorry. Like, you know, we can  
7 bring a horse to water, but we can't make them  
8 drink.

9 MR. MAYERSOHN: So my only question with  
10 noncompetitive bidding, and I guess this -- Omar,  
11 maybe you know the answer, maybe you don't. But  
12 are there CCNA vendors that do roofs that,  
13 whether it's through the State Department of  
14 Management Services that the district can access?  
15 Maybe that's --

16 DR. LYNCH-WALSH: Wait, this is about the  
17 software, not roofing.

18 MR. MAYERSOHN: So even to the software, I  
19 mean, it may be available through CCNA.

20 DR. LYNCH-WALSH: Well, they haven't  
21 explained the noncompetitive.

22 MR. MAYERSOHN: Right. That's what I'm  
23 saying, it could be through the Department of  
24 Management Services where they, like you said,  
25 piggyback, you know, on something, but being

1 provided where it's through a third party, it's  
2 already been solicited and all they're doing is  
3 selecting, whether it be --

4 DR. LYNCH-WALSH: Then they would have spoken  
5 to piggyback.

6 MR. MAYERSOHN: Well, that's what I'm saying,  
7 I don't know if that's considered noncompetitive.

8 MS. FERTIG: My concern on this is that our  
9 auditors can't find out what's going on, and I  
10 think we have to call that out because I think  
11 that's a flaw.

12 MR. RHODES: Madam Chair?

13 MS. FERTIG: They've done a great job on this  
14 roofing and it's taken us a long way, but if we  
15 don't get information, then you can't fix any of  
16 the problems.

17 DR. LYNCH-WALSH: Yes, Mr. Rhodes.

18 MR. RHODES: If this is out of my range,  
19 please, let me know, but as I'm tracking this  
20 motion as it's kind of being constructed, my  
21 question is, are we ultimately saying that we  
22 would like for the district to review the  
23 justification for a noncompetitive bid rather  
24 than, as Ms. Strauss said, just kind of stopping  
25 this in its tracks? Do we want to bring that to

1 their attention; is that what we're getting at?

2 DR. LYNCH-WALSH: Yeah. I'm writing.

3 MS. FERTIG: Yeah, I mean, I feel like if RSM  
4 has the information and they can convey that then  
5 we're in much better shape than if we're all in  
6 the dark until it's all over. But I'm with Ms.  
7 Strauss, I don't want to delay anything. It's  
8 already been almost four years. So at some point  
9 we need to do it. We don't want to do the wrong  
10 thing, but we need to keep moving.

11 DR. LYNCH-WALSH: Okay. So what I have, and  
12 I may have re-tweaked the wording, is we move to  
13 transmit and you said expressing concerns on the  
14 following, the length of time to implement --  
15 what is this called, to implement a replacement  
16 for ISS.

17 MS. FERTIG: I would like to just use the  
18 words that they've used in here, manual to  
19 electronic. Because I want the board to  
20 understand that we're still using a manual  
21 system. I know they do understand. I don't mean  
22 that to sound the way I said it, but that we are  
23 still using a manual system in 2024.

24 DR. LYNCH-WALSH: If we don't call out that  
25 it's ISS --

1 MS. FERTIG: You can put that in there but I  
2 also want to put -- I want the word the "manual"  
3 and the word "electronic", so they understand  
4 exactly what it is that was recommended and what  
5 we're trying to accomplish.

6 MR. MAYERSOHN: Whatever you say I'll  
7 approve.

8 DR. LYNCH-WALSH: All right. So, basically,  
9 we're going to move to transmit expressing  
10 concerns on the following. Because, remember, I  
11 have to send this off to people as part of the  
12 process. On the following, length of time to  
13 implement a replacement for ISS going from manual  
14 to electronic; the use of a noncompetitive  
15 solicitation; auditors cannot confirm what is  
16 being procured; and we would like the -- we would  
17 like the district -- the board to review the  
18 justification for a noncompetitive solicitation.

19 MS. FERTIG: Did you want to say, expand  
20 design services, which you had called out on  
21 whatever recommendation it was.

22 DR. LYNCH-WALSH: Make expanding -- what did  
23 they say? Expanding -- hold on. Where is that?  
24 I want to use their language. Make updating --  
25 updating and/or expanding district design

1 standards part of long-range planning, part --  
2 standard -- part of the long-range planning  
3 process. Or plan process. Long-range planning  
4 process; okay.

5 So we move to transmit expressing concerns on  
6 the following, the length of time to implement a  
7 replacement for ISS going from manual to  
8 electronic; the use of a noncompetitive  
9 solicitation; and -- actually, I'm going to --  
10 actually, if I take that out and put in the  
11 actual -- expressing concerns on the following,  
12 length of time to implement a replacement for ISS  
13 going from manual to electronic; we're concerned  
14 that the auditors cannot confirm is being  
15 procured; and we would recommend the board review  
16 justification for a noncompetitive solicitation;  
17 and make updating and/or expanding district  
18 design standards part of the long-range planning  
19 process. Is that --

20 MS. STRAUSS: I agree. I second that.

21 MR. NAYLOR: Would that also include the  
22 prioritization of the roof selection committee?  
23 From here it didn't say the recommendation would  
24 be from the smallest to knock out the most  
25 projects at once.

1 DR. LYNCH-WALSH: What page was that? I'm  
2 not doubting you. So moved by Mary, second by  
3 Strauss.

4 MR. NAYLOR: Where they were talking about  
5 the life-span in place.

6 DR. LYNCH-WALSH: Yeah, I know Bluefin is  
7 supposed to be doing all that, but -- because we  
8 were looking at the software concerns.

9 MR. NAYLOR: Right.

10 DR. LYNCH-WALSH: But there is a concern  
11 about -- because they recommend as the district  
12 begins the FCA process we encourage the district  
13 to verify that the finding and analysis from both  
14 the RAMC and FCA consultants are considered in  
15 the development of a long-range plan. I mean,  
16 that sounds like a motion, itself, thereto, that  
17 we support RSM's recommendation, which we could  
18 make a separate or do you want to --

19 MS. FERTIG: Say that again? You can add it  
20 in as a fourth bullet point.

21 DR. LYNCH-WALSH: The length of time, one,  
22 review justification, four. This would be the  
23 fifth one. The fifth one would be from page 8.  
24 That would coordinate things because I'm still  
25 trying to find what you're talking about, which



1 is the smallest to biggest. But I think the  
2 larger issue is that they need to compare notes  
3 to make sure that they're not slapping roofs on  
4 things that they're about to demolish or don't  
5 need.

6 MS. FERTIG: So just ensure the coordination  
7 of RAMC and FCA.

8 MR. NAYLOR: How many roofs have, actually,  
9 been put on buildings that have been demolished?

10 DR. LYNCH-WALSH: Not -- well, yet, not.  
11 They haven't demolished anything.

12 MR. NAYLOR: Right.

13 DR. LYNCH-WALSH: However, what we currently  
14 have with Lauderdale Manors, and FTF brought this  
15 up a couple years ago, is Building 1 is from the  
16 1950s, they have slapped a roof -- because it's  
17 nobody's job to follow up or nobody takes action,  
18 they slapped a roof, which that isn't the real  
19 expense, they're now putting HVAC into buildings  
20 that are being used for staff that they probably  
21 will be moving staff out of because we need to  
22 reduce the footprint, and we cannot seem to get  
23 that train to stop. But we first brought it up  
24 in '22, and as we sit here it's my understanding  
25 HVACs are going in to the tune of millions of

1 dollars.

2 MS. FERTIG: Can we just -- can we just do  
3 what they're -- ensure the coordination between  
4 RAMC and FCA?

5 DR. LYNCH-WALSH: Right. Verify that the  
6 findings -- I would use the same language. I'm  
7 fine with the same language. So, number 5,  
8 encourage the district to verify that the  
9 findings and analyses from both the RAMC and FCA  
10 consultants are considered in the development of  
11 the long-range plan.

12 MS. FERTIG: Are coordinated.

13 DR. LYNCH-WALSH: Well, then the next --  
14 yeah, they say without this coordination there's  
15 a risk of isolated decision making such as  
16 recommending -- you know, that's where they got  
17 into --

18 MS. FERTIG: I would just like to make this  
19 really simple. They need to coordinate and  
20 verify with each other. Just simple.

21 DR. LYNCH-WALSH: Well, that's what it says,  
22 to verify that the findings and analyses from  
23 both the roof asset management company and  
24 facilities condition assessment consultants are  
25 considered in the development of the long-range

1 plan. That's straight out of page 8.

2 MS. FERTIG: I know. What I took from page 8  
3 was that you want to make sure that these two  
4 consultants are coordinating as they move ahead  
5 with their recommendations. And I would put that  
6 in the simplest, shortest statement possible.

7 DR. LYNCH-WALSH: Okay. So then I'll add the  
8 word, we encourage -- so number 5, encourage the  
9 district ensure coordination and verification of  
10 the findings and analyses from both the RAMC and  
11 FCA consultants are considered in the  
12 development -- encourage the district ensure  
13 coordination and verification of findings in the  
14 development of the long-range plan. Okay.

15 MS. FERTIG: Can I ask a question? Isn't  
16 it -- I mean, aren't we hoping that they're  
17 working together? Is that the point? I'm asking  
18 RSM. Is that these two groups are working  
19 together?

20 MR. GUMS: Correct.

21 MS. FERTIG: I mean, if you cut through  
22 everything that's what wasn't happening and  
23 that's what needs to happen.

24 DR. LYNCH-WALSH: Right, that's what I'm  
25 saying. So encourage the district ensure --

1 MS. FERTIG: I'm concerned that if we've got  
2 too many words they're going to lose it.

3 DR. LYNCH-WALSH: The words are in there to  
4 ensure that they actually do it and I'm pulling  
5 the words from the RSM audit. Because if we  
6 leave out words that mean something then that's  
7 not going to happen either.

8 So the fifth one would be, encourage the  
9 district ensure coordination and verification of  
10 the findings and analyses from both the roof  
11 asset management consultant and facility  
12 condition assessment consultant in development of  
13 the long-range plan, which is essentially what  
14 RSM is saying on page 8. That's the fifth one.

15 So from the top -- Lew, does that work for  
16 you?

17 MR. NAYLOR: That would be fine. The  
18 information I was talking about is actually on  
19 page 10.

20 DR. LYNCH-WALSH: 10? Okay.

21 MR. NAYLOR: Utilizing Alternative/Separate  
22 Contracting for Roofing Scopes.

23 DR. LYNCH-WALSH: Oh, that's when they were  
24 pulling out roofing scopes; okay. Yeah, the  
25 roofing carve-outs, that's going to wind itself

1 down for the SMART program. And I don't even  
2 want to talk about what might be happening on the  
3 CSMP side. That's probably a mess. Yeah, that  
4 was -- that's already being done.

5 MR. NAYLOR: Okay. Thank you.

6 DR. LYNCH-WALSH: Because I don't even think  
7 they have a --

8 All right. Okay. So from the top, we move  
9 to transmit expressing concerns -- to transmit  
10 the RSM Roofing -- Roofing Process Analysis  
11 Follow Up, expressing concerns on the following:  
12 One, the length of time to implement a  
13 replacement for ISS going from manual to  
14 electronic; two, the auditors cannot confirm what  
15 is being procured; three, we would recommend the  
16 board review justification for a noncompetitive  
17 solicitation; four, make updating and/or  
18 expanding district design standards part of the  
19 long-range planning process; and, five, encourage  
20 the district to ensure coordination and  
21 verification of the findings and analyses from  
22 both the roof asset management consultant and  
23 facilities condition assessment consultant in  
24 development of the long-range plan.

25 So it's moved by Mary, seconded by Strauss.

1 Any further discussion?

2 MR. RHODES: Madam chair?

3 DR. LYNCH-WALSH: Yes.

4 MR. RHODES: Would it be beneficial in the  
5 part of the motion that talks about solicitation  
6 to identify solicitation of that specific system?  
7 Because if they don't read the background  
8 information on this audit it may not be clear to  
9 them what we're asking.

10 DR. LYNCH-WALSH: Okay. So review  
11 justification for a noncompetitive solicitation  
12 for the -- what are we calling this?

13 MS. FERTIG: Electronic.

14 MR. NAYLOR: Electronic.

15 DR. LYNCH-WALSH: Electronic something or the  
16 other. Electronic plan review system.  
17 Electronic plan review.

18 Okay. So are we good? So we'll throw that  
19 in there. All right. You don't want me to read  
20 this again; right?

21 MS. FERTIG: Can I -- can I -- no, you've  
22 done a great job of reading it here and putting  
23 all this together, but can I just ask Dave --  
24 well, let's vote on it and then I want to ask him  
25 a question about how this is being handled,

1 procedurally.

2 DR. LYNCH-WALSH: What is being handled  
3 procedurally?

4 MS. FERTIG: Well, I am hoping that when this  
5 audit goes to the board that -- I know you're  
6 making your reports to the board, but just in the  
7 process that there's a cover sheet to this report  
8 with the audit committee's recommendation so that  
9 they see it when it actually -- when RSM,  
10 actually, goes before them, they see what we've  
11 said.

12 MR. RHODES: Yeah. There is a motion  
13 captured in the executive summary --

14 MS. FERTIG: Thank you.

15 MR. RHODES: -- which typically passes all  
16 this stuff onto them as well as the process that  
17 I think the Chair was alluding to go earlier,  
18 which was a process where all the motions that  
19 come through here go through --

20 DR. LYNCH-WALSH: Go to the board.

21 MR. RHODES: Yes.

22 MS. FERTIG: And I -- and I think that's  
23 great, but in the case of the audit committee, as  
24 we're transmitting a report I believe our motions  
25 belong with that report. So as long as you're

1 doing both, that's fine. But if it were only  
2 going to happen one way, when you actually get up  
3 before them, Dave, and RSM is there, I hope what  
4 we say is publically said.

5 MR. RHODES: Indeed. That will be in the  
6 executive summary.

7 DR. LYNCH-WALSH: All right. So let's vote  
8 before we lose track.

9 So all in favor of transmitting the RSM  
10 Roofing Process Analysis Follow Up with the  
11 previously stated concerns?

12 COMMITTEE MEMBERS: Aye?

13 DR. LYNCH-WALSH: Any opposed?

14 (No response.)

15 DR. LYNCH-WALSH: Okay. Motion passes  
16 unanimously.

17 Okay. So --

18 MR. DE MEO: Madam Chair, before we move on,  
19 is there anyone here from the district that can  
20 explain to us what noncompetitive bidding is and  
21 why it was used?

22 DR. LYNCH-WALSH: Not that I can see out  
23 there.

24 MR. DE MEO: No? Okay.

25 DR. LYNCH-WALSH: Because there's nobody from



1 Procurement. They could explain what  
2 noncompetitive means to the rest of the world,  
3 but I don't know -- right. I don't want to put  
4 anybody else on the spot.

5 MR. RHODES: Madam Chair, Ryan Smith is here  
6 for Jennifer Andreu today.

7 DR. LYNCH-WALSH: But he's not here for -- he  
8 doesn't do procurement. So, yeah, no. That's  
9 why I said there's nobody here. And we weren't  
10 expecting him either and he has internal funds  
11 audit later.

12 MR. RHODES: Got you.

13 DR. LYNCH-WALSH: Yeah. Nope. We would need  
14 somebody that actually does procurement and  
15 understands that process, especially as it  
16 pertains to this particular arena.

17 So, thanks, guys. Great audit.

18 And before we move on, let's get back to, we  
19 needed -- well, we need to, I guess, officially  
20 approve the agenda. We didn't move anything. So  
21 now that we have quorum --

22 MS. FERTIG: Move to approve.

23 MR. NAYLOR: Second.

24 DR. LYNCH-WALSH: Okay. Moved by Fertig.  
25 Second by Naylor.

1 Any discussion?

2 (No response.)

3 DR. LYNCH-WALSH: Hearing none, all in favor  
4 of approving the agenda say "aye".

5 COMMITTEE MEMBERS: Aye.

6 DR. LYNCH-WALSH: Any opposed?

7 (No response.)

8 DR. LYNCH-WALSH: Okay. Hearing none.

9 We need to approve the minutes from May 9th  
10 and May 16th.

11 MR. MAYERSOHN: Motion to approve.

12 DR. LYNCH-WALSH: Okay. To approve both?

13 MR. MAYERSOHN: Both.

14 DR. LYNCH-WALSH: Okay. Moved by Mayersohn.

15 MR. NAYLOR: Second.

16 DR. LYNCH-WALSH: Second by Naylor.

17 Any discussion?

18 (No response.)

19 DR. LYNCH-WALSH: Silencio.

20 Hearing none, all in favor of approving the  
21 minutes from May 9th and May 16th, 2024 say  
22 "aye".

23 COMMITTEE MEMBERS: Aye.

24 DR. LYNCH-WALSH: Any opposed?

25 (No response.)

1 DR. LYNCH-WALSH: Okay. The minutes from May  
2 9th and May 16th, 2024 are now approved.

3 Next up, we have Item Number 7. We have a  
4 motion update which I'll pull up C-1 from the  
5 meeting yesterday. I'm not sure how HCT ended up  
6 at the end, but that's okay.

7 All right. So to answer your request  
8 procedurally, the motion, I know they've been  
9 doing it and even Joris would do it, but it's  
10 always part of the executive summary, so it's not  
11 a line item that says motion. So it requires the  
12 board to have read the executive summary attached  
13 to the audit. I don't know if having a document  
14 labeled Audit Committee Motion that's attached to  
15 the item makes it even more clear or if you guys  
16 are good on the executive summary.

17 MS. FERTIG: I would -- I just think for  
18 simplicity's sake, and Nathalie the follow-up  
19 items of ours is a good example of how you could  
20 make this crystal clear, there's just a sheet on  
21 top of the audit saying, motion to transmit --  
22 you know, the audit committee moved to transmit  
23 this on such a such a date, here's the motion and  
24 that would have our concerns. A lot of the  
25 things we just transmit so it wouldn't matter.

1 But where we have concerns that at least would  
2 call it out in an easy way for them to see.

3 DR. LYNCH-WALSH: So that's two different  
4 things. So you have what's uploaded on the  
5 agenda, the backup?

6 MS. FERTIG: Yeah.

7 DR. LYNCH-WALSH: And that by definition is  
8 not going to be -- unless they make it part of  
9 the RSM PDF, will not be part of it, it will be a  
10 separate page. So --

11 MS. FERTIG: However you think procedurally  
12 you can do it, I just want this made simple for  
13 them. Because when you're -- the other process  
14 of doing it the way they've got committees doing  
15 motions now really doesn't put that in context of  
16 an audit and that needs to be in context of the  
17 audit that it's about.

18 DR. LYNCH-WALSH: Oh, well, yeah, that's  
19 another thing we're going to talk about. Because  
20 I am adding context and that's what I'm  
21 transmitting to them, but I'm not sure that  
22 they're relaying that to the board either.

23 So, Mr. Rhodes, as far as -- I know it's part  
24 of the executive summary, but what does the board  
25 see when they get the black box to review?

1 MR. RHODES: I apologize but I'm not even  
2 sure what the black box is.

3 DR. LYNCH-WALSH: Oh, the black box is all  
4 the stuff, all of the agenda items and it's  
5 delivered to board members historically in a  
6 black box, still, unless we've changed colors.  
7 Mr. Sullivan have they changed colors or is it  
8 still a black box they get?

9 MR. SULLIVAN: Still black. They still do.

10 DR. LYNCH-WALSH: Okay. We've been joined by  
11 John Sullivan and Mark Dorsett. Who else?

12 MR. MAYERSOHN: Mr. Dorsett and -- are you  
13 the superintendent's designee?

14 DR. LYNCH-WALSH: You're still looking for a  
15 superintendent's designee?

16 MR. DORSETT: John Sullivan is sitting in for  
17 the superintendent for right now and I am here in  
18 case he leaves.

19 MR. MAYERSOHN: Okay.

20 DR. LYNCH-WALSH: I have a question. Today  
21 is the 20th. Where is the June 18th meeting, Mr.  
22 Sullivan, do you know where it went?

23 MR. SULLIVAN: It should be there. But it's  
24 not? So I'll look into it.

25 DR. LYNCH-WALSH: Well, the problem with that

1 is that I needed C-1 because I was going to  
2 show -- but I'm going to have to pull my stuff.  
3 So the list of motions -- Mr. Rhodes is working  
4 on -- remember, Joris had a PDF that had all of  
5 the motions and follow-up, so they've retrieved  
6 that and are working to update that. My  
7 computer -- well, it could hook up. So I was  
8 going to pull, but I'm going to have to pull from  
9 my hardcopy, the motion that we passed and the  
10 responses we've gotten to date. So -- because  
11 what happens at the board meeting, apparently, is  
12 they got themselves distracted by how motions  
13 were being communicated and never got to the  
14 motions themselves. So the motion about we  
15 recommend the school board initiate a policy for  
16 booster clubs, never discussed that because they  
17 were discussing how the motions were -- not  
18 necessarily ours, because from what I could  
19 gather it wasn't ours that triggered the  
20 discussion, because ours actually said "we  
21 recommend", the wording of it was the concern,  
22 not the substance of the motion.

23 The chairs will be meeting with the board  
24 next week and that will be a point of contention,  
25 you know what makes -- how is this supposed to

1 work? Because we're taking -- motions are  
2 getting, finally, to the board all the ones we  
3 re-did and the ones from -- the booster club one  
4 from May 16th, I even got that one in, but never  
5 got discussed by the board, staff was not given  
6 direction. And staff is still putting their spin  
7 on it, which I believe we have a response from  
8 Batista on one of the questions, which was  
9 whether the school district can be held liable  
10 for the actions of the -- you know, Camara, in  
11 this case. But I can't pull up the 18th because  
12 that was all backup and it's two days later;  
13 where did the meeting go?

14 MR. RHODES: Madam Chair, I just wanted to  
15 let you know that as of this morning I had the  
16 updated list of motions updated and it's now  
17 linked as Item 7.a on the electronic agenda.

18 DR. LYNCH-WALSH: Right, but you wouldn't  
19 have -- yeah, but do you have -- did you copy and  
20 paste what staff has responded to on there?

21 MR. RHODES: Yeah, you can take a look at  
22 that and see. I took it directly off of some of  
23 the items that were sent to me that included the  
24 motions, the responses and the responsible party.

25 MS. FERTIG: Nathalie, I was at the meeting

1 when they were doing that C-1 in the afternoon  
2 and I admit they were cut up between the word  
3 "motion" and the word "recommend". Different  
4 board members having an explanation for what we  
5 say. But I'm just -- I'm worried that we're not  
6 going to get to these three things, because I  
7 have to leave -- if I'm the quorum, I have to  
8 leave as close to 12 as I can and I don't know if  
9 anybody else does.

10 So I just was -- we've just got three really  
11 critical things on this.

12 DR. LYNCH-WALSH: Well, we can move on to the  
13 HCT audit, but, basically, they didn't respond to  
14 our motion yet.

15 MS. FERTIG: Yeah. And that's why I think  
16 it's important for our motions to be put with the  
17 actual audit items that we have.

18 DR. LYNCH-WALSH: They are going with that,  
19 but they don't discuss it there either.

20 MS. FERTIG: Well, I can think of some ways  
21 around that, but I'm just worried we're not going  
22 to -- in other words, we can call our own board  
23 members and so forth and tell them.

24 DR. LYNCH-WALSH: I don't have a board member  
25 to do that with and when I call the chair she's



1 gone nonresponsive.

2 MR. RHODES: Madam Chair?

3 DR. LYNCH-WALSH: Yes. So HCT is here.

4 MR. RHODES: May I just respond to that  
5 before we move on, quickly?

6 DR. LYNCH-WALSH: Yeah.

7 MR. RHODES: If it would be okay with the  
8 committee I'd be more than happy to list an  
9 executive summary, attach the report by itself  
10 and then list a separate attachment that would  
11 say "audit committee motion".

12 MS. FERTIG: Great.

13 MR. RHODES: Does that sound like it would be  
14 a reasonable -- I mean, we could attempt that.  
15 They may say we're working on it in a different  
16 way to get these motions sent in to the board,  
17 but at least it would be clear if that's what we  
18 would like to try and do.

19 MS. FERTIG: Yeah, but the audit committee's  
20 a little different than some of these other  
21 committees that are bringing motions forward  
22 because we're actually commenting on the audits  
23 that have to be transmitted to them, and that is  
24 a different -- very, very different than like  
25 Parent & Community Involvement Task Force we have

1 a motion and, you know, that's heard, yes, in  
2 that other manner, but this relates directly to a  
3 report and we are charged with doing it; right?  
4 So, yes, I think that's great, Dave.

5 MR. RHODES: Okay. I'll do that with three  
6 attachments instead of the typical two.

7 MS. FERTIG: Okay.

8 DR. LYNCH-WALSH: Yes, Mr. De Meo.

9 MR. DE MEO: Are we represented -- is the  
10 audit committee represented by the Chair at the  
11 board meeting or by Mr. Rhodes?

12 DR. LYNCH-WALSH: Both.

13 MR. DE MEO: Both.

14 DR. LYNCH-WALSH: Well, let me rephrase that.  
15 I am relegated to the five-minute report. I have  
16 read motions verbatim, print them out, take them,  
17 read them. They do not respond when I say  
18 anything. I don't -- I am also limited to my 15  
19 minutes. So by the time the audit comes up I'm  
20 long gone because I either ran out of minutes or  
21 sometimes they do it at the end of the day. I'm  
22 not taking my whole day anymore to wait for  
23 audits to come up. So then Mr. Rhodes will be  
24 there.

25 MR. DE MEO: Well, could the Chief Auditor

1 just read our motions at every meeting? I mean,  
2 that would be impactful and direct and wouldn't  
3 require a bunch of motions.

4 Do they allow you to read our motions?

5 MR. RHODES: Sometimes that -- sometimes that  
6 would be possible, sometimes it seems like it's  
7 not possible at the speed that they move through  
8 these items. I can attempt that and we can see  
9 how that works.

10 MS. FERTIG: That's great.

11 MR. DE MEO: Let's make a motion to make a  
12 motion.

13 MS. FERTIG: I think that would be great,  
14 Dave, if you could pull that off. Otherwise, the  
15 three different places, hopefully, somebody gets  
16 it.

17 DR. LYNCH-WALSH: Okay. So, Mr. De Meo, your  
18 motion is.

19 MS. STRAUSS: To make a motion.

20 DR. LYNCH-WALSH: No, that -- that --

21 MR. DE MEO: That we recommend to the board  
22 that the Chief Auditor read and explain our  
23 motions and any related concerns at the school  
24 board meeting to the school board.

25 MS. FERTIG: Second.

1 DR. LYNCH-WALSH: Concerns -- we recommend to  
2 the school board that the Chief Auditor --

3 MS. FERTIG: But do we really need to do this  
4 motion or can we just do it?

5 DR. LYNCH-WALSH: No, because if he tries to  
6 do it, they'll say, why are you doing it? If we  
7 pass a motion, then we --

8 MR. DE MEO: Yeah. And then they can turn it  
9 down and say we're not interested.

10 DR. LYNCH-WALSH: Right. Yes. We recommend  
11 to the school board that the Chief Auditor read  
12 and explain our motions and related concerns at  
13 school board meetings?

14 MR. DE MEO: Yep.

15 DR. LYNCH-WALSH: Okay. Moved by De Meo,  
16 seconded by Strauss.

17 MS. STRAUSS: Yeah.

18 DR. LYNCH-WALSH: Okay.

19 All right. Any further discussion?

20 MR. RHODES: Madam Chair, one more question.  
21 Should we identify that it is specifically based  
22 on audits that are being transmitted at that  
23 time?

24 DR. LYNCH-WALSH: No, because sometimes we  
25 pass motions on proposed policies.

1 MR. RHODES: Understood. Understood.

2 MS. FERTIG: I think we're -- I think we --  
3 personally, I think we should go for the ones  
4 that we're transmitting first and then work our  
5 way to the other. Because they come up with this  
6 elaborate system for handling motions and I'm  
7 worried that we're going to get caught up in that  
8 and they're going to say, no, all of their things  
9 have to come through this process that we set up.  
10 But --

11 MS. STRAUSS: Well, I want motions heard  
12 regardless of what they are.

13 MS. FERTIG: Yeah. Okay.

14 MR. DE MEO: I think -- I can't believe that  
15 we're even discussing this, to be honest with  
16 you.

17 MS. STRAUSS: I know.

18 MS. FERTIG: I know.

19 MR. DE MEO: If they don't -- at least they  
20 should show some interest in the work of this  
21 committee. This is a serious matter.

22 MS. FERTIG: You're right. And, actually,  
23 next week there is that meeting with the board,  
24 Nathalie, so that's an opportunity to talk about  
25 it.

1 DR. LYNCH-WALSH: I will be bringing this up.  
2 Like someone said earlier, you can lead a horse  
3 to water.

4 All right. Any further discussion?

5 MS. STRAUSS: On that motion?

6 DR. LYNCH-WALSH: On this particular motion.

7 MS. STRAUSS: No.

8 MR. MAYERSOHN: So the audit committee or the  
9 chief auditor's stuff that we transmit are all HH  
10 items?

11 DR. LYNCH-WALSH: DD, now, I believe.

12 MR. MAYERSOHN: DD items. So the DD items,  
13 do they go through all of them or do they sit and  
14 select what they want to hear?

15 MR. RHODES: For example, the meeting that  
16 happened two days ago, out of seven reports that  
17 we transmitted from this committee, they pulled  
18 three and actually discussed two. One of them  
19 they pulled back before there was discussion on  
20 it.

21 MR. MAYERSOHN: Right. So the others they  
22 transmitted by consent.

23 MR. RHODES: Yeah.

24 MR. MAYERSOHN: So you would have to get, I  
25 believe, a DD, call it 1 item, which would be

1 relevant to motions so that you could read that  
2 or are they -- I mean, I guess we can create the  
3 motion to ask that you read it, but how is that  
4 implemented as part of their agenda?

5 MR. RHODES: My initial concern is that it  
6 may conflict with the process that Mary just  
7 mentioned that they're trying to move forward,  
8 which is to look at all these motions as in this  
9 last case was a CC-1 item, it listed all the  
10 motions that had gone forward to the board and  
11 the discussion became more about recommends and  
12 motion versus looking at the content of each  
13 individual motion. And the item was -- it was  
14 accepted and passed, but there was no board  
15 members who took on the role of a sponsor to any  
16 of those motions to try to move that action  
17 forward.

18 MS. FERTIG: So, Bob, there's two ways this  
19 is being done now. I hate to take time when  
20 we've got these audits. But there are two ways  
21 they're doing motions. Every committee is  
22 grouped together giving their motions during  
23 reports and submitting a form and so forth, and  
24 then those make their way to the board and they  
25 decide what to do or not. The difference

1 between -- and then in our case, because we're a  
2 different kind of a committee, we have it with  
3 our item on the -- on the audit that's being  
4 transmitted.

5 MR. MAYERSOHN: Right.

6 MS. FERTIG: But the vast -- so we've got  
7 however many, say you have 25 committees that  
8 have submitted motions and ours is going to be  
9 listed there, I'm just trying to think of a way  
10 to call it out. Because it really -- you know,  
11 that's fine if we're talking about something  
12 that's not related to an audit.

13 MR. MAYERSOHN: So we're asking the board to  
14 bring up their own policy and put --

15 MR. DE MEO: Yeah, to have somebody  
16 represent.

17 MR. MAYERSOHN: We're asking the board to  
18 preempt their advisory board policy to include  
19 our motions as part of the items that we  
20 transmit.

21 MS. FERTIG: Right, because --

22 MR. MAYERSOHN: Number one, and the other  
23 additional items.

24 DR. LYNCH-WALSH: But they've been getting  
25 attached since we requested.



1 MR. MAYERSOHN: Right, but we're asking them  
2 to be read into the record.

3 MS. FERTIG: But, unfortunately, if they  
4 don't call out the items -- and I thought there  
5 were F items, but I was there the other day and  
6 it was brief, as I recall, discussions on  
7 anything, and it was only a few items. So say  
8 there's seven audits and they discuss two, then  
9 five of them aren't getting motions read.

10 DR. LYNCH-WALSH: So the thing is, we can  
11 also request an item be pulled.

12 MS. FERTIG: Okay.

13 DR. LYNCH-WALSH: I think we can discuss the  
14 minutia of this with the board next week, but if  
15 we're going to pass -- we need to pass the  
16 motion.

17 MS. FERTIG: Yeah, let's do it.

18 DR. LYNCH-WALSH: All right. All in favor?

19 COMMITTEE MEMBERS: Aye.

20 DR. LYNCH-WALSH: Any opposed?

21 (No response.)

22 DR. LYNCH-WALSH: Okay. Passes unanimously.

23 Okay. I now have a problem where, because  
24 the RFP is not available on-line, we either need  
25 to hook up my computer, because otherwise I can't

1 get at some of this backup stuff. So,  
2 theoretically, if I unplug this one and plug in  
3 my own that will work?

4 MS. FERTIG: What item are we on now?

5 DR. LYNCH-WALSH: We are on HCT. 7.a.

6 MS. STRAUSS: Are we off of the motions  
7 discussion?

8 DR. LYNCH-WALSH: Did you want to bring the  
9 motion now?

10 MS. STRAUSS: I want to bring a new motion.

11 DR. LYNCH-WALSH: Okay. Hit it.

12 MS. STRAUSS: I would like to make a  
13 motion -- well, first of all, I have a question.

14 Where are we in our search for a chief  
15 auditor, permanent chief auditor, number one?

16 DR. LYNCH-WALSH: They're waiting on us  
17 because we don't know what the place is going to  
18 look like. So, if anything, Mr. Rhodes might  
19 need to be task assigned again. Because,  
20 remember, we have the problem where we made  
21 recommendations to the job description.

22 MS. STRAUSS: Uh-huh.

23 DR. LYNCH-WALSH: They didn't take the  
24 recommendations, so if they put it out there,  
25 yes, Mr. Rhodes would be qualified under their

1 new job description.

2 MS. STRAUSS: And he does a fine job.

3 MR. RHODES: Thank you.

4 DR. LYNCH-WALSH: But then we give up --

5 MR. DE MEO: He's doing the job. Let's have  
6 him do the job.

7 DR. LYNCH-WALSH: Right. But the job  
8 description creates a problem.

9 MS. STRAUSS: No, no, no. That's fine.

10 So that was a question. But my motion is, I  
11 would like to make a motion to outsource the  
12 entire audit function with the exception of a  
13 director of the audit committee, whatever his  
14 role is, chief auditor, to act as the  
15 intermediary between the external auditing  
16 department hired by an independent -- by an  
17 independent firm that has experience in  
18 education.

19 DR. LYNCH-WALSH: Okay. You have been  
20 writing this -- you've been thinking about this,  
21 I know, for a while --

22 MS. STRAUSS: Yes.

23 DR. LYNCH-WALSH: And you lost me halfway  
24 through. So you're going to have to start again.

25 MS. STRAUSS: Sorry. Okay. I would like to

1 make a motion to outsource our entire audit  
2 function to an independent audit firm that has  
3 experience in education led by an internal BCPS  
4 chief auditor that acts as the intermediary and  
5 lead between the external team and BCPS.

6 DR. LYNCH-WALSH: All right. Sorry, I was  
7 starting to think of all the ways, as great as  
8 that sounds, that this could go wrong. Because  
9 if they put out the job description there's no  
10 guarantee that the person that would end up  
11 filling that role would be Mr. Rhodes.

12 MS. STRAUSS: Okay. Well, I'm not building a  
13 job description for one person. I'm sorry, Mr.  
14 Rhodes, but just like I don't want to build  
15 noncompetitive bids; okay? We're not writing job  
16 descriptions for specific people.

17 This is what I want. This is my motion. I  
18 no longer want this audit department to be an  
19 internal function any longer. They have proved  
20 to be incapable and I want people that are more  
21 qualified.

22 MS. FERTIG: Can I just ask you? Can we just  
23 discuss this for a second? Can I ask a question?

24 MS. STRAUSS: Sure.

25 MS. FERTIG: When this happened many years

1 ago with the attorneys coming in house and then  
2 like in the city I think we did the same thing,  
3 you would do a study to see cost effectiveness of  
4 outsourcing versus --

5 MS. STRAUSS: Sure.

6 MS. FERTIG: So could we recommend a study to  
7 determine what would be more effective and -- not  
8 just cost-wise, but --

9 DR. LYNCH-WALSH: A cost benefit analysis.

10 MS. FERTIG: Thank you.

11 MS. STRAUSS: Sure. And there is white  
12 paper, like, for example Houston, you know, a  
13 large district where this has taken place where  
14 they have been turned around by going in this  
15 direction. I've researched it, thoroughly.

16 MS. FERTIG: No, I know. I know.

17 DR. LYNCH-WALSH: Bring the research. And  
18 Houston got taken over by the state, that's part  
19 of the thing, not saying that it's --

20 MS. STRAUSS: No, but there were two  
21 districts.

22 DR. LYNCH-WALSH: Anyway --

23 MS. FERTIG: I think a -- I think a study for  
24 this would be great.

25 DR. LYNCH-WALSH: Are you suggesting a

1 substitute motion?

2 MS. FERTIG: Well, I'm just talking to her.

3 MS. STRAUSS: Houston is just an example of  
4 other districts where this has happened.

5 MS. FERTIG: Yeah, I would just say that we  
6 should ask the city -- the city -- the district  
7 to do a study to determine what the most  
8 effective structure for the audit department is;  
9 outsourcing; insourcing; whatever.

10 MS. STRAUSS: But, previously, Mary, I did  
11 ask for the total spend of this audit department  
12 on salaries.

13 DR. LYNCH-WALSH: I think we did get that.

14 MS. STRAUSS: We did get that. And it's  
15 extremely high for what we're getting. You get  
16 what you pay for, but I think we're overpaying.

17 MS. FERTIG: Yeah, I would just say that it  
18 would be good to do that and we could include in  
19 it all the money we're spending on external  
20 auditors and internal auditors.

21 MS. STRAUSS: All of it. All of it. It's  
22 crazy, crazy.

23 MS. FERTIG: And just get the study done.  
24 And, as I recall, with the -- because it was many  
25 years ago with the attorney's office, but when

1 that happened it made the decision a lot easier  
2 whether to be internal or external. And, quite  
3 frankly --

4 MS. STRAUSS: But I also think we need to  
5 compare the qualifications of the members of the  
6 teams.

7 MS. FERTIG: Yeah.

8 DR. LYNCH-WALSH: Well, I think they have a  
9 peer review coming.

10 MS. STRAUSS: Like you don't even have to  
11 have an accounting degree to be in this audit  
12 department.

13 DR. LYNCH-WALSH: Well, you don't have to  
14 have one to be in a lot of things in the district  
15 where it would help to have one.

16 MS. STRAUSS: Well, I don't like that. I'm  
17 sorry.

18 DR. LYNCH-WALSH: Okay. So nobody seconded  
19 the motion, so as of right now it's not a motion,  
20 it fails.

21 However, I think that you could probably get  
22 support for a study. So if you want to craft a  
23 quick motion, because I need to hook up for HCT,  
24 they're sitting here.

25 So we can either defer this until before you

1 have to leave or somebody can craft a quick  
2 motion that we can pass while I get plugged in,  
3 because I need to pull up the RFP since we didn't  
4 have that.

5 So what do you guys want to do?

6 (No response.)

7 MS. FERTIG: Can we bring this in August  
8 because we've got like four big things in front  
9 of us. When's our next meeting, Dave, I'm sorry?

10 MR. RHODES: We don't even have the schedule  
11 yet for next year.

12 MS. FERTIG: Okay. Okay. Well, I'm looking  
13 at Ms. Strauss.

14 MR. RHODES: I think it's safe to say  
15 sometime in August.

16 DR. LYNCH-WALSH: Yeah, that is safe to say.  
17 Okay. So we first discussed the audit on  
18 April, at our April meeting. We passed some  
19 motions which we've gotten little to no response  
20 to; if memory serves.

21 MR. RHODES: Verbal response, but not in  
22 writing.

23 DR. LYNCH-WALSH: Okay. So what have we  
24 gotten? I'm just trying to buy time as I pull up,  
25 because I'm transferring computers.



1 MR. RHODES: The -- let me pull up the -- one  
2 second, please.

3 So at 4/11 the committee requested the Chief  
4 Auditor to send this report to the attorney's  
5 office to look at whether any of the actions  
6 taken by staff were approved by school board in  
7 closed door; whether there is a way to recover  
8 any money expended with the original vendor; and  
9 to hire a technical expert to review the scope of  
10 RFP; and also whether there were violations of  
11 school board policy, including procurement  
12 policy. And the information that I received  
13 verbally in a discussion with General Counsel was  
14 that the -- the closed door was something that  
15 happened after it was determined that there were  
16 problems with the project and that it wasn't a  
17 matter of the board giving closed-door  
18 instruction for staff to do any of the things  
19 that were identified and reported in the report.

20 The next item is that, is there a way to  
21 recover money expended from the original vendor?  
22 At that point the attorney had to review the  
23 report to see what the facts were surrounding  
24 this to be able to make an educated determination  
25 on that. So that wasn't an answer at that time.

1           And then with regard to hiring a technical  
2 expert to review the scope of the RFP, it was  
3 determined that that would have to be something  
4 that the board or the procurement department  
5 would opine on. Primarily, the board because it  
6 would have cost something to do that.

7           And then also with regard to whether there  
8 were violations of school board policy including  
9 the procurement policy, that hinged on whether or  
10 not the findings and the information in the  
11 observations of the report upon review identified  
12 whether or not there were any policy or statutory  
13 violations.

14           MS. FERTIG: Okay. Can I just ask a  
15 question, Nathalie, while you're getting your  
16 thing up.

17           DR. LYNCH-WALSH: Yeah. Mm-hmm.

18           MS. FERTIG: Okay. All right. So now that  
19 was April 11th, now we're two months later. Do  
20 they have an update for us? I mean, on several  
21 of those things I would think that they would be  
22 able to tell us whether it was a violation.

23           Let's talk about recovering money. Can we  
24 just make a list of how much money we should  
25 recover and they can say yea or nay or get an

1 outside attorney to evaluate it on a contingency  
2 basis?

3 MR. RHODES: Well, first of all, there was a  
4 part two that happened.

5 MS. FERTIG: Oh, I'm sorry.

6 MR. RHODES: No, that's okay. The attorney  
7 contacted me and told me that there is a process  
8 in Policy 1070 that identifies how these matters  
9 are supposed to be formally transmitted. It was  
10 formally transmitted and we are awaiting formal  
11 response on these right now. So, in the  
12 meanwhile, we could send piecemeal the same parts  
13 of these four components back to them, but we're  
14 waiting on a formal response that may address  
15 that anyway.

16 MS. FERTIG: Okay. And I know you know this  
17 because you were here for some really important  
18 conversations, but in the past we've had somebody  
19 from the attorney's office here to address us,  
20 and I'm just wondering -- again, this isn't like  
21 some of the other committees. This is where  
22 we're specifically discussing the business of the  
23 district to transmit it to the school board. And  
24 there are a number of really egregious things in  
25 this report. So I hate to let this go, you know,

1 past the statute of limitations, for example.

2 So, in any event, I would just request that  
3 somebody from the attorney's office come and talk  
4 to us about when we have something where we're  
5 asking them specific questions.

6 MR. RHODES: And I would have to look at the  
7 agreement, but, typically, the agreements that  
8 I've been looking at over the years is the  
9 statute of limitations would not toll until after  
10 five years after the final payment is made on the  
11 contract.

12 MS. FERTIG: It could take that long, but,  
13 yeah.

14 DR. LYNCH-WALSH: Okay. So, yeah, because  
15 that -- yesterday's meeting, or Tuesday's meeting  
16 or whatever day it was, was the board's  
17 opportunity to respond. Because the motions were  
18 sitting there in C-1, which I cannot pull up for  
19 some reason.

20 Is it possible to find out why the board --  
21 that board meeting isn't up? Because this is  
22 highly unusual for a board meeting to not be up  
23 two days later.

24 Ms. Strauss?

25 MS. STRAUSS: I just wanted to put on the

1 record that I am uncomfortable with general  
2 counsel, verbally, giving you answers to  
3 questions like this, and that I would request  
4 that if they do give you answers, verbally, that  
5 you request that they then put it in writing in  
6 an email because I would like it documented.

7 MR. RHODES: That's precisely what was done,  
8 and even included a deadline, which has come and  
9 passed.

10 MS. STRAUSS: Okay. So all conversations  
11 from counsel need to be documented via email.

12 MR. RHODES: Understood.

13 DR. LYNCH-WALSH: In writing.

14 MS. STRAUSS: In writing.

15 DR. LYNCH-WALSH: In writing; yeah. I think  
16 we all agree on that. Okay. So --

17 MS. FERTIG: The contract actually expired in  
18 '23 on one of these things, right, and then they  
19 renewed it. So I have it here somewhere tabbed,  
20 but, as you can see, I have a lot of tabs.

21 DR. LYNCH-WALSH: Okay. Yeah, I have a  
22 million tabs on this thing. I sent everybody  
23 some background information, also the RFP. So  
24 one of the things I wanted to look at is the  
25 background information, because it's important to

1 understand the environment that existed in 2018  
2 and '19 as we were going -- as staff -- as the  
3 board put 15 million aside for an intercom  
4 project and what that really meant given what  
5 district this is, what year it was, and all that.  
6 And also some of the limitations, what would  
7 appear to be limitations now, to the Safe Havens  
8 report.

9 So I've been reading, since our last meeting,  
10 all sorts of standards and codes that I never  
11 knew I wanted to learn about. One of the things  
12 that I think I provided you guys, let's see --  
13 let's see if I get the older one first. So one  
14 of the things I sent you was from the fire and  
15 security authority. This is from 2013. So what  
16 had happened in 2013, we had 9/11 already, we  
17 had, I believe, Columbine, Sandy Hook was 2012?  
18 So this was -- this was a document where they  
19 were discussing mass notification systems and UL  
20 2572. This was before 2018 and before,  
21 obviously, this RFP.

22 So the reason that this is fire is because  
23 you have systems that have to talk to each other  
24 so that you don't have people running out when  
25 staying in would be the safer thing to do. So

1 this starts getting very technical into NFPA 72,  
2 UL 2572, wide area mass notification systems and  
3 all of that.

4 Another thing that I sent over was a matter  
5 of standards and codes. So this, again, NFPA  
6 72 -- I think I may have ditched page 1. Where  
7 are you page 1? So it talks about all the  
8 different -- you would have seen NFPA 101  
9 mentioned in there, there's NFPA 5000. Standards  
10 and codes matter. They provide a means by which  
11 to assess that a product or system meets a  
12 minimum set of requirements and helps a specifier  
13 end user or procurement professional make more  
14 informed price versus performance decisions.  
15 Standards and codes help to mitigate the risk of  
16 life safety technology failing to perform when  
17 needed, whether it's in the design, production,  
18 installation, testing, inspection or maintenance  
19 of mass notification systems, these standards and  
20 codes provide a reasonable level of assurance  
21 that an important life safety system, such as a  
22 mass notification system, will operate as  
23 intended. This is from 20 -- I want to say --

24 MR. RHODES: 2018.

25 DR. LYNCH-WALSH: 2018. Again, right after

1 MSD and before the RFP was put out.

2 I found both of these in five minutes of  
3 Googling. I don't work for procurement. I don't  
4 work for the district. I am not a fire safety  
5 expert. I'm not a mass communication emergency  
6 communication system expert, any of those things.  
7 But just using the words emergency communication  
8 system and now that we know about NFPA 72 and UL  
9 2572, in Googling those things, within a few  
10 minutes I was able to find this.

11 So I would think that the professionals that  
12 all get highly compensated that sat down to write  
13 the first solicitation had at least done that  
14 much to figure out how do we avoid a repeat  
15 performance of 2/14, 2018.

16 I would be wrong. Because the solicitation  
17 that was put out doesn't use industry specific  
18 language. Neither did the Safe Havens report.  
19 And that's where my first question comes in is,  
20 was there ever part two of the Safe Havens  
21 report? The Safe Havens report mentions that  
22 there will be a final report and I think now  
23 we've hit the time ask for that again.

24 We have a member of FTF that was at MSD on  
25 2/14 and he has always maintained there's



1 supposed to be a final report that we have never  
2 seen or heard of.

3 I don't know if the final report would have  
4 gotten more specific, but the report that we have  
5 had does not use industry specific language.  
6 It's as if they don't understand that these  
7 things all have to work together. So when they  
8 mention recommending updating the intercom  
9 system, they were doing so without an  
10 understanding of the things that matter, meaning  
11 standards and codes. And that lack of  
12 understanding seems to have translated to the  
13 people that were involved at the front end.

14 And then the people that understood standards  
15 and codes got involved later on and that's when  
16 things really start to take a turn. But in the  
17 beginning Safe Havens does not use industry  
18 specific language. The RFP, which we're going to  
19 also look at, doesn't use these specifics but  
20 does have line items that are associated with  
21 emergency communication systems and things of  
22 that nature. Multiple line items in there. But  
23 somehow -- well, the district did what it did --  
24 did that.

25 So these are the things that provide some

1 background. We also have, let's see, NFPA -- oh,  
2 no, that's something else. Because I've gotten  
3 headaches getting up to speed. But let me go  
4 back to -- NFPA 72 defines what an emergency  
5 communication system is, so I just want to read  
6 that definition and then I don't know if you guys  
7 have specific questions.

8 MS. FERTIG: I have a very specific question.

9 DR. LYNCH-WALSH: Okay. Let me just read --  
10 so NFPA 72 is about emergency communication  
11 systems. An emergency communication system --  
12 this is 24.2.3. An emergency communication  
13 system is intended to communicate information  
14 about emergencies, including, but not limited to,  
15 fire, human-caused events, accidental and  
16 intentional, other dangerous situations,  
17 accidents and natural disasters. Emergencies.  
18 Not about the lunch specials of the day, not  
19 about who won, you know, the book fair, or  
20 whatever. Emergencies. The RFP mentions the  
21 word "emergencies" multiple times. The -- and,  
22 again, this was post MSD. So that is what an  
23 emergency communication system is.

24 And so we'll be bouncing back to that. This  
25 is mentioned in the audit.

1           Just because you don't call something and you  
2 call it a -- whatever they were calling it,  
3 audio -- intercom enhancement, doesn't mean --  
4 again, if you're not familiar with standards and  
5 codes, you might want something but not realize  
6 that you're not actually procuring what you think  
7 you're getting.

8           The other thing that I'll pull up,  
9 Rauland-Borg in -- on their website mentions  
10 Telecenter U, which somehow is not mentioned in  
11 the agreement with Rauland-Borg. So we'll have  
12 to get clarification on what was actually  
13 procured. And I'll pull that up.

14           But, Mary, while I pull that up do you want  
15 to ask?

16           MS. FERTIG: Yeah, okay. So this contract,  
17 by your timeline, if you look at the page -- for  
18 everybody to go on the timeline page 10, you can  
19 see this is a summer 2019 contract. Okay. So  
20 I'm just going to say we're at five years; okay?  
21 And then I just want to read a couple of the  
22 effects here. The impact changed from an  
23 intercom-only install to an attempt to install  
24 and ECS causing (1) massive delays in project  
25 execution; (2) cost overruns; and (3) failure to

1 install a functional intercom system in 53  
2 schools. Somewhere in here, I'm trying to find  
3 it, the number of \$10 million is noted.

4 And I've got one other tab I want to read to  
5 you about the effects. I just wish we could get  
6 a timely answer on this, because this is -- we  
7 first submitted it in April. And thank you for  
8 this audit which points out so much.

9 I'm looking for that other effect here that I  
10 wanted to read. The desired and needed intercom  
11 system for the 53 schools was not completed  
12 within the contracted period. Without the proper  
13 oversight and involvement from the procurement  
14 department BCPS expended over \$10 million but  
15 received a partially installed intercom system  
16 and the commencement of an ECS.

17 So I think -- I really -- I really feel like,  
18 I'm hoping somebody can get us that written  
19 answer that Ms. Strauss mentioned in a timely  
20 manner so that we could -- I mean, maybe we're  
21 done. Maybe this is the end and we just --

22 DR. LYNCH-WALSH: The end of what?

23 MS. FERTIG: Well, if we're going to recover  
24 something.

25 DR. LYNCH-WALSH: Oh, that's the least of our

1 worries.

2 MS. FERTIG: No, I mean, it's one of our  
3 worries, but as Bob started off pointing out in  
4 the meeting, we don't have unlimited funds. We  
5 can't just sit here -- one of the things that we  
6 have done effectively over the years on a lot of  
7 the construction issues is to point out where  
8 there are opportunities for the attorney's office  
9 to look and see if there is any ability to  
10 recover funds and I don't know if there is or  
11 isn't.

12 DR. LYNCH-WALSH: So here's the thing.  
13 Rauland-Borg is the one under this RFP.

14 MS. FERTIG: Yeah, I understand.

15 DR. LYNCH-WALSH: Rauland-Borg is the one  
16 under the new solicitation.

17 MS. FERTIG: I understand. I read that.

18 DR. LYNCH-WALSH: So we'd be recovering from  
19 the same company that's still doing work. Who  
20 would we be recovering from?

21 MS. FERTIG: We're talking different  
22 contracts.

23 MS. STRAUSS: Then give us a credit. This is  
24 crazy.

25 DR. LYNCH-WALSH: This is way messier than

1 that.

2 MS. FERTIG: Okay. Then, obviously,  
3 Nathalie, what we're all most interested in is  
4 getting a functioning system.

5 DR. LYNCH-WALSH: But what does that mean?

6 MS. FERTIG: But at the same time we have to  
7 be able to afford to pay for a functioning  
8 system.

9 DR. LYNCH-WALSH: They're putting away 10 --  
10 this was a \$15 million project, supposedly, and  
11 what they're putting away now is another 10  
12 million. And I'm not clear what for. Because if  
13 it cost 15 million, why do we now need to put  
14 away for fiscal year 24, 10 million; fiscal year  
15 25, 10 million; fiscal year 26, 10 million;  
16 fiscal year 27, 10 million; and three million in  
17 fiscal year 28?

18 It says "intercom projects". Not clear what  
19 that's for because it supposedly cost 15 million.  
20 What we need to be asking for is budget to actual  
21 on --

22 MS. FERTIG: And that is one thing, but I am  
23 asking --

24 DR. LYNCH-WALSH: That is the whole thing.

25 MS. FERTIG: No, that is not the whole thing.

1 I am asking if there are recoverable funds that  
2 we can apply in future years because of what this  
3 audit found. In several places in this audit it  
4 mentions things that were not done properly. And  
5 I don't know -- would you agree? I'm sorry, I'm  
6 speaking for you, but this is pretty clearly  
7 written and I -- and I just wish we could have  
8 gotten a more timely response to the question of  
9 whether there's anything that's recoverable and  
10 what's going to be done, and we may have just  
11 blown --

12 DR. LYNCH-WALSH: Okay. Duly noted.

13 So I have many tabs in here. Because in  
14 terms of what was done wrong, is it normal -- and  
15 I'm sorry, what was your name again? Are you  
16 Roderick?

17 MR. HARVEY: Good afternoon everyone. My  
18 name is Roderick Harvey, CPA with HCT. Do I have  
19 the space to address the questions from the board  
20 member Ms. Mary?

21 DR. LYNCH-WALSH: About getting money back?

22 MR. HARVEY: Yes.

23 DR. LYNCH-WALSH: Yes.

24 MR. HARVEY: So quick answer is there was a  
25 \$10.7 million spend. We estimate or show a 33 or

1 35 percent completion. I have talked to Mr.  
2 Rhodes about it, and for us it is a matter of a  
3 legal issue, if the district and/or legal will  
4 pursue the claw back of funds. We have performed  
5 our audit and have reported and that is within  
6 the scope of what we can do.

7 MS. FERTIG: And you did a great job. It's  
8 very, very clear.

9 MR. HARVEY: Thank you so much.

10 DR. LYNCH-WALSH: Okay. Let me go to -- I  
11 have many questions about the RFP and just  
12 getting clarity between that and the audited  
13 findings. So I mentioned Safe Havens, page 10 of  
14 this report you have the timeline, Safe Havens  
15 failed to use industry specific language.

16 Did you review whether Safe Havens would have  
17 been familiar with the codes and standards that  
18 were applicable?

19 MR. HARVEY: We did not. I would like to  
20 give specifics because you've mentioned it twice.  
21 I do agree with you. It's page 22 of the Safe  
22 Haven report and it's Section 5.1.3 which  
23 discussed, we see opportunity for improvement in  
24 the public address system in all of the district  
25 schools. So based on that we took the Safe Haven



1 report prima facie on what it said and how it led  
2 to RFP, again, 19-123E.

3 DR. LYNCH-WALSH: I'm sorry, what page?

4 MR. HARVEY: Page 22 of 87, Section 5.1.3  
5 discusses the Safe Havens recommendation  
6 regarding PA systems.

7 DR. LYNCH-WALSH: Oh, on your -- I was going  
8 to the Safe Havens report. You're saying in  
9 yours.

10 MR. HARVEY: No, I have a copy of the Safe  
11 Haven report before me and I believe it appears  
12 to be page 22 of 87.

13 DR. LYNCH-WALSH: Right. Okay.

14 MR. HARVEY: There it is. Yes, ma'am.

15 DR. LYNCH-WALSH: So but that -- right. So  
16 that proves my point. They're saying we see  
17 opportunity for improvement in the public address  
18 PA system.

19 But, like I said, with all that was known at  
20 the time of this Safe Havens report they don't  
21 get into -- they don't even use words like  
22 emergency communication system; mass notification  
23 system; UL 2572; NFPA 72. They do not use --  
24 they call it a PA system, which is the thing you  
25 use to tell everybody what they're having for

1 lunch. It is not the thing you use for  
2 emergencies. If you try to use it for  
3 emergencies, that is when all the standards and  
4 codes kick in.

5 MR. HARVEY: Correct.

6 DR. LYNCH-WALSH: Okay. So that's my first  
7 sticky.

8 Summary of interviews conducted. Hold on one  
9 second. I have to figure out where I have your  
10 report open.

11 MR. RHODES: Madam Chair?

12 DR. LYNCH-WALSH: Yes.

13 MR. RHODES: As the items are being discussed  
14 may I ask that the report page numbers be called  
15 out for the benefit of making sure that we're on  
16 track with the reader.

17 DR. LYNCH-WALSH: I think we're trying to do  
18 that. So we got to the page on Safe Havens. So  
19 give me a second. I'm trying to make sure I  
20 don't pull up the un-redacted report.

21 Okay. So in your report, this will be on  
22 page 14, this spoke to the -- so this would be  
23 the actual page 14. Summary of Interviews  
24 Conducted. My question here, it says interview  
25 with BCPS Matt Bradford, CIO. Sorry, that's on

1 page 15. It says here his role was CIO in  
2 November of 2022. Did you -- were you aware that  
3 he was also task assigned that same role in 2019?

4 MR. HARVEY: No, I was not aware of that.

5 DR. LYNCH-WALSH: But in your audit on page  
6 30, actually, if you go -- then we go to page 30  
7 there's an email from Dale Bondanza --

8 MR. HARVEY: Yes.

9 DR. LYNCH-WALSH: -- and it references some  
10 people in there, one of whom is, in fact, task  
11 assign CIO Matt Bradford or all copied, which  
12 establishes what his position was in 2019.

13 So I just wanted to point that out, that he  
14 was, in fact, here in 2019, at least on July  
15 29th. Because he was here when I believe that  
16 would have been the Tony Hunter departure before  
17 Phil Dunne.

18 So him saying that he deferred to responding  
19 is a little curious when he was copied on this  
20 email where Dale Bondanza is using an email  
21 instead of an NTP to say go ahead and do the  
22 work.

23 I see on, back to page 15, that John Alban,  
24 the BCPS electrician was interviewed, and it says  
25 that he provided feedback to his supervisor that

1 the work which began in July 2019 was not proper.

2 Did you interview his supervisor and who was  
3 his supervisor?

4 MR. HARVEY: We did not. Well, my first  
5 question would be, who was his supervisor before  
6 I reply to that.

7 DR. LYNCH-WALSH: Okay. I'm going to guess,  
8 given his position, was he the electrical  
9 manager? So his supervisor was probably the  
10 person that was in charge of pre-construction at  
11 the time, which I'm guessing is Shelley Meloni.  
12 Why did we not interview her?

13 MR. HARVEY: I do not remember Shelley Meloni  
14 being interviewed. We interviewed a lot of  
15 people. So she would not have been on our list.

16 DR. LYNCH-WALSH: Why not is my question.  
17 She was director of pre-construction and the most  
18 knowledgeable -- and would have been, if not his  
19 supervisor, his supervisor's supervisor.

20 MR. HARVEY: She didn't come up on our radar  
21 to interview.

22 DR. LYNCH-WALSH: Okay. Let's see. Frank  
23 Girardi was in charge of facilities at the time.  
24 He doesn't seem to have been interviewed.

25 THE WITNESS: He was not formally

1 interviewed, but we did have discussions with him  
2 twice throughout this process.

3 DR. LYNCH-WALSH: Okay. But that's not  
4 captured here.

5 MR. HARVEY: It's not captured as a part of  
6 our summary of interviews, but he was aware and  
7 we did discuss the process of this audit and our  
8 performance audit and the scope of what was  
9 happening or not happening during this time  
10 period of Bid 19-123E.

11 DR. LYNCH-WALSH: Okay. So he was in charge  
12 of facilities at the time that one of the people  
13 in charge of doing specifications was feeling  
14 pressured. So do you have emails that would --  
15 that spoke to who was pressuring, I think it says  
16 IT department.

17 MR. HARVEY: We reviewed probably close to a  
18 thousand emails, so I'm sure we have emails that  
19 would relate to a vast matter of things as  
20 relates to this engagement.

21 DR. LYNCH-WALSH: Okay. All right. Page 17.  
22 It says the original intent of RFP 19-123 from a  
23 BCPS perspective was for an intercom-only repair  
24 and maintenance project. On what are you basing  
25 the BCPS perspective?

1 MR. HARVEY: Based on the Safe Havens report  
2 and based on the read and the written documents  
3 for the RFP.

4 DR. LYNCH-WALSH: All right. We're going to  
5 go look at the RFP in a minute here.

6 Okay. All right. Page 18. This was put out  
7 February 11th and then revised on 3/7. There are  
8 a lot of RFIs in this RFP. Were the design  
9 specifications reviewed and updated and revised  
10 prior to issuing the RFP?

11 THE WITNESS: State that again, please?

12 DR. LYNCH-WALSH: The design specifications,  
13 were they reviewed; or updated; or revised prior  
14 to issuing the RFP?

15 MR. HARVEY: Good question. I'll answer it  
16 this way and I'm not sure if it will hit the nail  
17 on the head. The original discussion for the  
18 basis of design with Dukane, at some point around  
19 the letting of the RFP before or after the basis  
20 of design was changed to Rauland-Borg. And so  
21 without having the supporting document to give  
22 exact dates, was it before or after, we do know  
23 that the basis of design was moved to  
24 Rauland-Borg from the discussion of Dukane.

25 We also list in our report that at the time

1 of this RFP Dukane systems represented 235 out of  
2 287 or 284 systems, where the Rauland-Borg system  
3 represented 24 out of 275, 285 systems.

4 DR. LYNCH-WALSH: Okay. When you say "the  
5 basis of design", what exactly do you mean?

6 MR. HARVEY: So there was discussion before  
7 and during the RFP of whatever vendor was chosen  
8 should be able, must be able to implement a PA or  
9 intercom system that will work with current  
10 already established systems and/or any new  
11 component systems. So it was important that the  
12 vendor chosen be able to work within the  
13 framework at the 53 schools selected for whatever  
14 was there currently, Dukane or Rauland-Borg. And  
15 from our understanding the RFP allowed for the  
16 vendor to update, upgrade and/or change  
17 components and parts and/or implement new  
18 components of parts at each of the 53 schools.

19 DR. LYNCH-WALSH: Okay. So getting back to  
20 the assertion that it was intercom-only and you  
21 mentioned repair and maintenance not even  
22 enhancement, which is actually in the title, so  
23 let's look at some of the things that are  
24 required. Demonstrate how a user can signal an  
25 emergency, include all available mechanisms such

1 as a panic button, call button, application if  
2 available, phone handset. I've highlighted,  
3 demonstrate how the system provides customized  
4 standard recorded messages and centralized  
5 lockdown capabilities. Demonstrate the  
6 procedures to halt bell schedule in case of a  
7 triggered fire alarm or a code red activation.

8 Moving on.

9 MR. HARVEY: I would like to respond to that;  
10 if possible.

11 DR. LYNCH-WALSH: Does that sound consistent  
12 with an intercom system?

13 MR. HARVEY: We performed six on-site visits.  
14 And during our on-site visits we asked whoever  
15 was assigned to accompany us to be able to show  
16 us the functionality of the system. In several  
17 cases, which is in my document, I don't know  
18 which page right now, but in the document it  
19 shows that there was either a lack of training,  
20 so the folks that we were with were not able to  
21 go through all of the points.

22 DR. LYNCH-WALSH: Yeah, I think you  
23 misunderstand what I'm asking.

24 MR. HARVEY: Okay.

25 DR. LYNCH-WALSH: I have not left 2019 yet.



1 MR. HARVEY: Okay.

2 DR. LYNCH-WALSH: Because this whole thing,  
3 the reason we asked for a technical expert is it  
4 wreaks of a coverup. Not sure why. But  
5 understand that there are line items in here that  
6 clearly indicate the intent is to use this thing  
7 to communicate emergencies. And regardless of  
8 whether the district understood what was required  
9 from standards and codes or not, that is what  
10 they were asking for and potentially what the  
11 board who has two board members who lost family  
12 members in 2/14, back in 2018. So, once it  
13 became clear that what they wanted and  
14 Rauland-Borg was providing would not get them  
15 where they needed to be in compliance with the  
16 code and standards that nobody was talking about  
17 or mentioning at the front end, the then  
18 task-assigned fire chief came up with the Penton  
19 product to enable the thing to be UL 2572  
20 certified, because that was the only way.  
21 Otherwise, you're going to have two systems. And  
22 the other thing we don't know to date is if we  
23 had the same exact conditions occur what would  
24 happen at a school? We do not know if kids would  
25 come spilling out of classrooms because if the

1 fire alarm goes off and there's no integration  
2 with the intercom system, what happens? And  
3 that's another reason for a technical expert, is  
4 to describe what would happen. If there is smoke  
5 in a hallway from a gun and the fire alarm is  
6 triggered, will there be any way to communicate  
7 given what we're putting in instead of the Penton  
8 device, because we stopped with that and stripped  
9 that and threw people under the bus, what is it  
10 that we actually have going on that we're  
11 spending 10 million a year to do on top of what  
12 was approved prior? Are we creating -- would we  
13 have the same exact thing potentially happen  
14 today that happened back in 2018? We don't know.  
15 Because it sounds like we have two systems that  
16 will not be talking to each other.

17 MS. FERTIG: Wouldn't it be at this point --  
18 I see Mr. Dorsett is here.

19 DR. LYNCH-WALSH: Mr. Dorsett is from PPO.

20 MS. FERTIG: Okay. Well, he probably,  
21 hopefully, maybe could direct us on where to go,  
22 so I'm going to ask. It's summer, we have 200  
23 now remaining schools, doesn't it make sense to  
24 send somebody out to get an answer for every one  
25 of those schools to the question you just asked?

1 DR. LYNCH-WALSH: No, not for my question.

2 If you want to ask that, that's fine.

3 MS. FERTIG: Okay. Well I want to ask that.

4 I want to ask that. Can that happen? Because --  
5 you know, there are several problems here. One,  
6 which I think is a problem is, a potential \$7  
7 million that could be recovered. Two, the fact  
8 that we -- this is the most important thing that  
9 we have to have functioning systems in our  
10 schools. If we don't, we need to know what  
11 schools don't and this indicates -- this audit  
12 indicates that there may be a number that don't,  
13 and get remediation done immediately. To me,  
14 that's the most important thing, is that the  
15 systems in our school work and however quickly we  
16 can get to that point should be the issue.

17 DR. LYNCH-WALSH: Well, what does working  
18 mean? Do you mean work the same as they did in  
19 2018?

20 MS. FERTIG: No, I do not mean that. I mean,  
21 the way you just explained, that there is a  
22 coordination between the systems that is what the  
23 goal was, is that happening today or is it not?

24 And I don't -- I -- Mr. Dorsett's here, maybe  
25 he can't answer, maybe he can tell us who can

1 answer. But whoever can answer that question,  
2 let's just make sure. We've got -- we've got,  
3 you know, six weeks to figure this out.

4 DR. LYNCH-WALSH: Okay. So fair enough. So  
5 of the 53 schools, which I don't think all of  
6 them are done, do they -- so your question is, do  
7 the intercoms all work; do the fire alarms all  
8 work; and what would happen -- and to the  
9 question, the essential question, what would  
10 happen?

11 MS. FERTIG: The question that you raised  
12 was, are they coordinated? Do they work  
13 together? They work independently, but do they  
14 work together was what I was understanding you  
15 were asking. Do we have a functioning system  
16 that accomplishes what we want to accomplish; and  
17 you explained it well.

18 DR. LYNCH-WALSH: I want to know if the same  
19 thing would happen, meaning the fire alarm would  
20 come on and there'd be no ability to communicate  
21 that it's not actually a fire?

22 MS. FERTIG: And I'm not really interested in  
23 53 schools, I'm interested to know that every  
24 public school that has students in it has a  
25 functioning system. I don't think this is

1 something you want to wait, you know, audit to  
2 audit to transmit to transmit and this and that.  
3 We just want to know. And I think the board  
4 would want to know this. Do we have a  
5 functioning system in every single school? There  
6 are many, many different scenarios for  
7 catastrophes that could happen where you need the  
8 alarm system. So that's my question. Mr.  
9 Dorsett's here. I don't know if he can answer or  
10 not.

11 MR. RHODES: Madam Chair, may I make one  
12 comment?

13 DR. LYNCH-WALSH: Yes.

14 MR. RHODES: We went through the exercise of  
15 redacting schools, so I think this discussion  
16 needs to be, at best, cryptic. And if we talk  
17 about who does or does not have a functioning --

18 DR. LYNCH-WALSH: Yeah we're not -- we're not  
19 -- we don't even have time to -- we're not trying  
20 to discuss the schools here. Mary is saying --

21 MS. FERTIG: I do not want the name of the  
22 school that does or does not have it. What I  
23 want to know is that somebody from this district  
24 over the next six weeks has evaluated every  
25 single school where we will have students sitting

1 to make sure they have a functioning alarm. And  
2 if they do not, that that is rectified before  
3 school starts. And we're in a unique position  
4 because we're sitting here in June and it can  
5 happen before school starts in April -- I mean  
6 August. I'm looking at Mr. Dorsett.

7 Is that -- can I get an answer? Is it okay,  
8 David, if I get an answer from him if that's  
9 something that can happen? I don't want to talk  
10 about schools.

11 DR. LYNCH-WALSH: Yeah, and we need -- since  
12 you said you need to leave at 12 and I'm not sure  
13 if we're at seven or eight, we're never going to  
14 get through the rest of these. So --

15 MS. FERTIG: Mr. Dorsett, I think, has an  
16 answer.

17 DR. LYNCH-WALSH: Yeah, can you give us an  
18 answer?

19 MR. DORSETT: Okay. So the short answer to  
20 whether we have functioning fire alarms and  
21 intercom systems in the district, the answer is,  
22 yes. We shouldn't be able to operate a school if  
23 the fire alarm and intercom is not working.

24 To your point as to whether they communicate  
25 and do what -- communicate with each other, that

1 is what is being worked on with safety and  
2 security and fire inspections right now.

3 They are working on some schools right now.  
4 That's in the pipeline to install this new system  
5 that they do communicate. I can check with the  
6 fire chief to determine if there is a possibility  
7 for an assessment to be done to see which schools  
8 have it already in place and which ones do not  
9 have it in place. We can certainly get with the  
10 fire chief to see if we can get that information  
11 for you.

12 But to your point -- to your point as to  
13 whether we have a functioning fire alarm system  
14 and a functioning intercom system, yes, we do.

15 MS. FERTIG: And I'm concerned -- after  
16 Nathalie's explanation I would want to know that  
17 they do communicate with each other.

18 MR. DE MEO: Or more than that. It's the  
19 question the Chair raised. Does it function in  
20 the way we expect it to function, keeping in mind  
21 what happened in 2018? In other words, is there  
22 some means to communicate that, don't go out in  
23 the hall, it isn't a fire. Is that in place?

24 MR. DORSETT: Right now, that's what's being  
25 done right now in the district as a part of this

1 RFP and the new systems. They are supposed to be  
2 installing a system that they do talk to each  
3 other and they do communicate. But right now, as  
4 far as all schools having the ability to  
5 communicate with the fire alarm and intercom, no,  
6 that's not -- that's not in place right now.

7 DR. LYNCH-WALSH: I want to clarify, so don't  
8 jump yet, just yet.

9 The device you're speaking of, because,  
10 remember, the Penton device was going to get us  
11 there, and then someone got demoted and we ceased  
12 work on the Penton device. Are you referring to  
13 the Epic ALERTUS? When you say this device that  
14 you're installing now that will -- because the  
15 Epic system is UL 2572 compliant but not  
16 certified. That's the only other thing I can  
17 think you're referring to.

18 MR. DORSETT: Right now to give clarification  
19 on that I need to get with the fire chief and the  
20 information chief to determine exactly what they  
21 have.

22 DR. LYNCH-WALSH: Okay. All right. Thank  
23 you. Ms. Strauss?

24 MS. STRAUSS: So my question is, are you  
25 comfortable sending children back into buildings



1 in the current condition that this system is in?  
2 Would you send your own child into a building on  
3 the first day of school? Would you do that?

4 MR. DORSETT: You're asking the wrong person  
5 for that. We need to get that answer from the  
6 fire chief and the information person. You're  
7 asking -- you're asking the wrong person that  
8 question.

9 MS. STRAUSS: Okay. The fire chief -- does  
10 the fire chief work for the school district?

11 DR. LYNCH-WALSH: Yes. This is the person  
12 that's been here four months.

13 MS. STRAUSS: Okay. But overall that person  
14 reports to the superintendent; am I correct?

15 MR. DORSETT: Yes, he does.

16 MS. STRAUSS: And everybody that works for  
17 Broward County Schools has the responsibility for  
18 keeping children safe; is that correct.

19 MR. DORSETT: That is correct.

20 MS. STRAUSS: Okay. So with that being said,  
21 I will ask the question again. Anyone in this  
22 room that works for Broward County Schools, would  
23 you be comfortable sending your children to the  
24 schoolhouse at the start of school for the  
25 2024-2025 school year with the facts and the

1 knowledge that you currently have on this system?

2 MR. DORSETT: I don't know what's installed  
3 in the system just yet. The new proposal is to  
4 include all of those things. If you're asking me  
5 if I would send my child into school right now  
6 with a functioning fire alarm and a functioning  
7 intercom system, my answer would be, yes.

8 MS. STRAUSS: But you don't know if it's  
9 functioning.

10 MR. DORSETT: That's what I'm telling you, I  
11 don't know. That's why you need the information  
12 from the chief fire official --

13 MS. STRAUSS: So you couldn't answer the  
14 question for your own child right now.

15 DR. LYNCH-WALSH: Jaclyn, he's not the one  
16 that created this and he's not the  
17 superintendent.

18 MS. STRAUSS: Okay. Well, take it back to  
19 whoever it needs to, because this is very  
20 disturbing.

21 DR. LYNCH-WALSH: That's my whole point.

22 MS. FERTIG: Nathalie, I feel like we're at a  
23 point where we need to at least forward a couple  
24 of items to the board and then come back to this,  
25 because we're going to -- we do have a couple

1 other things that we've already transmitted. Can  
2 I just say -- can I just say that from this,  
3 these were the kinds of things that I took away,  
4 and then you can tell me if this is good or not,  
5 that we move -- that we request that the board  
6 determine prior to the start of school, they do  
7 not have to publish this list, we're not asking  
8 for publication, but that there be an analysis of  
9 what schools have intercom and fire that  
10 communicate with each other?

11 MS. STRAUSS: Parents need to know.

12 MS. FERTIG: And what schools do not and how  
13 that can be remedied as quickly as possible. And  
14 also I want to know if there's any way to recover  
15 the moneys and apply them to doing what we need  
16 to do to get functioning systems in the school.

17 And, quite frankly, what you read to us about  
18 budget years being four years out, five years  
19 out, I don't -- we've already spent five years on  
20 this, so let's not spend another five years  
21 getting it, you know, getting it right, let's get  
22 it done.

23 DR. LYNCH-WALSH: Okay. But I believe --

24 MS. FERTIG: That's a motion.

25 DR. LYNCH-WALSH: -- they can't have

1 nonfunctioning fire alarms and intercoms, but I  
2 think it would still be a good exercise to verify  
3 that they are.

4 MS. FERTIG: I'm not asking that. That  
5 wasn't my question. My question was your  
6 question, if they're communicating with each  
7 other.

8 DR. LYNCH-WALSH: So, but to communicate,  
9 that would mean that they are a mass notification  
10 or emergency communication system. And that is  
11 the whole point of this, is that the claim, the  
12 findings of this, the thing -- understand, the  
13 thing that someone got demoted over, that people  
14 have been disappeared over is the narrative that  
15 this started out as an intercom-only, not an  
16 emergency communication system, when the problem  
17 is that they wanted an emergency communication  
18 clearly from the thing --

19 MS. FERTIG: I get that.

20 DR. LYNCH-WALSH: I know you get it, but  
21 that's not the conclusion -- even though the  
22 auditors have even said in here, on page 22, we  
23 further noted that Rauland-Borg may have  
24 successfully implemented an intercom-only system  
25 but should not have been a vendor of choice for a

1 53-school emergency communication system. BCPS  
2 has -- and then they get into that. Their own  
3 findings are kind of, curiously, all over the  
4 place in terms of just stating that they messed  
5 up the opportunity to solicit an emergency  
6 communication system and they are now  
7 backpedaling going on where, I think, what  
8 they're trying to do is get there, which is why  
9 they're funding this with a different system  
10 after vilifying the whole Penton saying that the  
11 then fire chief took it upon himself to create  
12 emergency communications. There's a lot wrong  
13 with this.

14 MS. FERTIG: I -- I -- I just -- you know, we  
15 could go -- we're coming up -- you and I are  
16 coming up, we should meet in July to celebrate  
17 our 10th anniversary of trying to get the SMART  
18 Bond done correctly. But we're five years into  
19 this. It's a critical thing that we need in our  
20 schools. To me, do an Excel spreadsheet. I'm  
21 happy to do it for you and I won't tell anybody I  
22 saw it. Have a column, intercom, fire, and the  
23 third column being what you're looking for, and  
24 then determine where you are and figure out how  
25 quickly you're going to get there. And, by the

1 way, go collect the money that wasn't spent  
2 correctly so you can pay for it.

3 DR. LYNCH-WALSH: Okay. So let's determine  
4 in the next five minutes what's time sensitive.  
5 I like your idea to meet in July.

6 MS. FERTIG: Oh, no, I wasn't necessarily --  
7 I was saying that you and I should meet in July  
8 for a celebration of what went wrong; if that's a  
9 celebration. I don't know.

10 DR. LYNCH-WALSH: Okay. But from a  
11 time-sensitive standpoint, the internal funds.

12 MS. FERTIG: Can I just make a motion on  
13 this? Because when we meet next time I want to  
14 know that somebody's moving on this. I want to  
15 hear from legal on what they've decided. Is  
16 anybody else with me; do we want to know --  
17 because the statute is getting ready if it hasn't  
18 already.

19 DR. LYNCH-WALSH: Nobody's disputing. Go  
20 ahead.

21 MS. FERTIG: So I'm going to make a motion  
22 that we -- that we get an update from legal on  
23 what the legal remedies are for what happened  
24 with these contracts and that we also have --  
25 that staff -- we recommend that staff determine

1 the status of the emergency communication system  
2 in every school, whether they have -- whether  
3 they have intercom, fire and a complete  
4 communication system. That's it. Those two  
5 things. And we don't have to see that list, but  
6 we want to know that that's been done.

7 DR. LYNCH-WALSH: Okay. Legal update --  
8 sorry, there are a lot of trains going through  
9 the station. You want an update from legal.

10 MS. FERTIG: On the potential recovery of  
11 funds that were misspent on this project.

12 MR. NAYLOR: Those should be separate  
13 motions.

14 MS. FERTIG: No.

15 DR. LYNCH-WALSH: Well, yeah, because they're  
16 two --

17 MS. FERTIG: All right. Well, you better  
18 call legal on your way out the door because --

19 DR. LYNCH-WALSH: Okay. An update on  
20 potential recovery of funds on moneys misspent.

21 MS. FERTIG: On moneys that the district --  
22 you can just put recovery of funds on any  
23 mismanagement of funds.

24 DR. LYNCH-WALSH: Right, on moneys  
25 mismanaged.

1           Okay. Yeah, I think it would be -- and staff  
2 to determine the status of each emergency  
3 communication system.

4           MS. FERTIG: Emergency communication system  
5 in every school.

6           DR. LYNCH-WALSH: In every school.

7           MR. DE MEO: Was it determined that the  
8 design is what we want?

9           DR. LYNCH-WALSH: So you mean the original  
10 one? We don't know. We know that they were  
11 not --

12          MS. STRAUSS: We don't know anything.

13          DR. LYNCH-WALSH: So here's the problem.  
14 They clearly intended, and I'm about to get to  
15 the pages if you guys can hang on, so there  
16 needs -- I think this needs to be turned over  
17 almost to the state --

18          MS. STRAUSS: I agree.

19          MR. DE MEO: It's crazy.

20          DR. LYNCH-WALSH: -- to determine -- because  
21 it says the intercom -- I mean, it says emergency  
22 announcements. Their intent, clearly, was to  
23 procure an emergency communications system. They  
24 did it without adhering to any of the standards  
25 or codes, having specifications in place when the



1 solicitation went out, writing them, one, to be  
2 Rauland-Borg, then two after the fact. And then  
3 I think they redid them again recently.

4 So this audit even asks about why was  
5 Rauland-Borg the vendor of choice.

6 MR. DE MEO: But as a practical expedient, I  
7 think Mary's listing of those four or five items,  
8 I do think we need answers before the kids go  
9 back to school.

10 DR. LYNCH-WALSH: No, no, I agree.

11 MS. STRAUSS: And can you add on, I want the  
12 Office of Safe schools and the commissioner  
13 copied on that, please?

14 DR. LYNCH-WALSH: Okay. I was going to write  
15 to all -- like this needs to be turned over to --

16 MS. FERTIG: Can we just get a second on the  
17 first motion?

18 DR. LYNCH-WALSH: Yeah, who wants to second?

19 MR. NAYLOR: Second.

20 DR. LYNCH-WALSH: Okay. Moved by Mary,  
21 second by Lew.

22 MR. DE MEO: I just want to make sure the --  
23 I want to make sure the motion includes the  
24 functionality that we expect, not that they  
25 communicate -- that we expect based on 2018.

1 MS. FERTIG: I think that's what we're  
2 asking. We're asking if they have an intercom --  
3 we're asking what they actually have and then --  
4 I mean, this is simple. Excel, column 1,  
5 intercom; Excel column 2, the fire alarm; Excel  
6 column 3, emergency communication system that's a  
7 functioning emergency communication system.  
8 Because they could have an intercom but not have  
9 any of the rest of it.

10 MR. NAYLOR: Right. And the alarm cannot be  
11 overridden by the intercom. So, I mean, those --  
12 I mean, we don't have that. We already know  
13 that.

14 MS. STRAUSS: We don't know what we have.

15 DR. LYNCH-WALSH: We -- we -- I think they're  
16 building it now. I think they realized that it  
17 wasn't working, threw somebody under the bus for  
18 the Penton devices, and are now rectifying under,  
19 you know -- yes?

20 MR. NAYLOR: Do we know, has anybody seen a  
21 presentation by Rauland-Borg?

22 DR. LYNCH-WALSH: We have -- so --

23 MR. NAYLOR: Their -- their sales proposal to  
24 our staff?

25 DR. LYNCH-WALSH: We have -- we should have.

1 And it can be sent out to the group, which gets  
2 us back to, do we want to meet on Teams in July  
3 or something or just wait until August?

4 Can we get all the backup that wasn't  
5 included? Because I think another conversation  
6 with need to have in the future is what should be  
7 standard backup. If it's a contract, we should  
8 have the RFP, the agreement, the proposal, the  
9 score sheets.

10 MR. MAYERSOHN: The thing that I think --  
11 because, I mean, getting back to -- we can drill  
12 down and I would, like I said, have this in  
13 August and we can discuss this whole thing, but  
14 the two pieces that I think are time sensitive  
15 are, number one, recovery of funds, and, number  
16 two, is that there is an emergency -- call it  
17 whatever you want, but there is an emergency  
18 communication system in all schools. And we  
19 should get a response by July 15th whether or not  
20 there is or there is not.

21 DR. LYNCH-WALSH: Are you saying July 15th --

22 MR. MAYERSOHN: I mean I don't --

23 MS. FERTIG: I think those are the two  
24 critical --

25 MR. MAYERSOHN: So that we have it, and then

1 if we need to call an emergency meeting --

2 MS. FERTIG: That's like the first analysis,  
3 and then that when that analysis comes back the  
4 way we anticipate we can go to the next step.

5 DR. LYNCH-WALSH: Okay. By July 15th  
6 everybody?

7 MR. MAYERSOHN: That's 30 days, roughly. I  
8 mean, that should be enough time.

9 DR. LYNCH-WALSH: We'll put, by 7/15.

10 Okay. Any -- I'm going to have to go back to  
11 figure out what our motion was.

12 MS. FERTIG: Well, I think that those are two  
13 things that --

14 DR. LYNCH-WALSH: No, I have it. An update  
15 from legal on potential recovery of funds  
16 mismanaged as part of this project and staff to  
17 determine the status of each emergency  
18 communication system in every school by 7/15.

19 MR. NAYLOR: And you don't think that should  
20 be two motions?

21 MS. FERTIG: That's how Lew started off. So  
22 let's do the recovery, I made that, somebody  
23 seconded.

24 DR. LYNCH-WALSH: Lew.

25 MR. DE MEO: Is staff the person to do that

1 or do we need an expert like mentioned in the  
2 last meeting?

3 DR. LYNCH-WALSH: I think we need an expert.

4 MS. FERTIG: But the way the board works, I  
5 mean --

6 MR. DE MEO: They have RFPs and stuff. Have  
7 the superintendent go out, find a consultant --

8 DR. LYNCH-WALSH: Well, let's say the  
9 board -- well, let's get number one done.

10 Okay. So all in favor of getting an update  
11 from legal on potential recovery of funds on  
12 moneys misspent?

13 COMMITTEE MEMBERS: Aye.

14 DR. LYNCH-WALSH: Any opposed?

15 (No response.)

16 DR. LYNCH-WALSH: Okay. Passes unanimously,  
17 motion number 1.

18 Motion number 2, the district have -- should  
19 we say have staff or hire a consultant?

20 MS. FERTIG: They're not going to -- you know  
21 they can't get a consultant. You know, we'll be  
22 here five years from now. So they have the  
23 capability to say do we have working intercoms;  
24 do we have a working a fire alarm; and do we have  
25 a working communication system? Those are three

1 different columns they need to know.

2 MR. NAYLOR: But for every classroom.

3 MS. FERTIG: Yeah.

4 MR. NAYLOR: Because portables, whatever --

5 DR. LYNCH-WALSH: Well -- I guess we know  
6 what the answer will be.

7 So we recommend the board determine the  
8 status of each fire alarm, intercom and emergency  
9 communication system in every school --

10 MS. FERTIG: Determine, yeah, okay.

11 DR. LYNCH-WALSH: -- by 7/15.

12 MR. NAYLOR: The functionality.

13 MS. FERTIG: The functionality.

14 DR. LYNCH-WALSH: Okay. Hold on. You guys  
15 are throwing words at me. Determine the  
16 functionality of -- okay. We recommend the board  
17 determine the functionality of each fire alarm,  
18 intercom and emergency communication system in  
19 every school by 7/15, 2024.

20 MS. FERTIG: Are we losing our quorum with  
21 Mr. De Meo?

22 MR. DE MEO: I'm going to say aye as soon as  
23 we call the vote.

24 DR. LYNCH-WALSH: All in favor.

25 COMMITTEE MEMBERS: Aye.

1 DR. LYNCH-WALSH: Any opposed?

2 (No response.)

3 DR. LYNCH-WALSH: All right. Passed.

4 MR. RHODES: Are we going to transmit the  
5 others?

6 DR. LYNCH-WALSH: Wait. Hold on. Mr. De  
7 Meo, can you wait two seconds?

8 MS. FERTIG: Internal funds?

9 DR. LYNCH-WALSH: But I don't want them to be  
10 out of compliance. Are you guys out of  
11 compliance if we don't transmit today?

12 MR. MAYERSOHN: Or can we transmit and then  
13 discuss?

14 MR. RHODES: I believe we would.

15 DR. LYNCH-WALSH: We can.

16 MS. FERTIG: Can I ask for one thing on this  
17 and then we can vote on it?

18 DR. LYNCH-WALSH: Well, we can discuss after  
19 we transmit it.

20 MS. FERTIG: I just want to -- I would just  
21 like, just for our purposes, you had so many  
22 schools where you were talking about, you know,  
23 getting the funds to the right spot, I kind of  
24 would like a summary sheet of that at the  
25 beginning of this report to show what a good job

1 you're doing. So I think it's helpful for the  
2 public to know that, because of what you've done,  
3 these things are going to be there for students.

4 DR. LYNCH-WALSH: All right. We need a  
5 motion to transmit. You guys will be out of  
6 compliance if we don't.

7 MS. FERTIG: I'm moving to transmit this  
8 report with a summary sheet of funds that will be  
9 sent to correct accounts.

10 DR. LYNCH-WALSH: Okay. Any further  
11 discussion?

12 (No response.)

13 DR. LYNCH-WALSH: All in favor?

14 COMMITTEE MEMBERS: Aye.

15 DR. LYNCH-WALSH: Any opposed?

16 (No response.)

17 DR. LYNCH-WALSH: Okay. Internal funds  
18 transmitted.

19 Okay. Then we can --

20 MS. FERTIG: Just before we leave, can we  
21 agree to a Teams meeting in July?

22 DR. LYNCH-WALSH: Let's get it via email.

23 MS. FERTIG: Oh, okay.

24 MR. RHODES: Are we leaving Property &  
25 Inventory for next?



1 DR. LYNCH-WALSH: Yeah, I guess so, because  
2 that wasn't time -- was that time sensitive?  
3 Well, he's gone.

4 MR. RHODES: That didn't have the same  
5 requirement as the Internal Funds.

6 DR. LYNCH-WALSH: I just didn't want you guys  
7 to be out of compliance on that.

8 MR. RHODES: Thank you, Madam Chair.

9 DR. LYNCH-WALSH: Okay. So now we're still  
10 on HCT because I'm not even done with all my  
11 stuff here. And then -- or we could -- yeah?

12 MS. FERTIG: Could we just agree to have a  
13 Teams meeting in July? I like your idea of Teams  
14 here.

15 DR. LYNCH-WALSH: Okay. So we're going to  
16 defer the rest of this HCT discussion, try to get  
17 answers to our first set of questions, because we  
18 still have the motions we passed the first time,  
19 then the motions we just passed. I will be  
20 bringing this up to the board next week because  
21 this is one of our major issues because it  
22 involves the lives of people. And I have a ton  
23 more. So we'll, off-line, schedule a July Teams  
24 meeting.

25 All right. So then that would -- so, Mr.

1 Harvey, if we have a Teams meeting in July -- I  
2 know we keep dragging you in here, but it's  
3 because there's a lot.

4 MR. HARVEY: No, we're excited to help and  
5 participate. We believe our report is good and  
6 thorough and provides a great timeline. So give  
7 us a date and time in July and we look forward to  
8 being there all dressed up and ready to go.

9 DR. LYNCH-WALSH: Okay. On Teams, though, so  
10 you won't have to travel.

11 Okay. Thank you so much, and we'll -- Mr.  
12 Rhodes will be in touch. But that at least will  
13 be oh Teams so you don't have to travel.

14 MR. HARVEY: Excellent. Thank you.

15 DR. LYNCH-WALSH: So next up after HCT we had  
16 Booster Clubs, which there's not much to say to  
17 that.

18 MS. FERTIG: I just -- no, I want to say -- I  
19 want to say, thank you for bringing this up. I  
20 think it was a major step to get the list of the  
21 clubs and then maybe we can get a list of how  
22 much of the funds are in each account. But  
23 progress.

24 DR. LYNCH-WALSH: Yeah. We lost Mr. Rhodes.  
25 Oh, wait. But I'm sure he'll be back.

1 All right. See you next time on Teams.  
2 We'll try to see if we can get everybody  
3 together.

4 So the list of clubs, the one thing I noticed  
5 when we got this, I'm not being nitpicky, it's  
6 just if we were trying to sort, and I believe Mr.  
7 Rhodes did try to get another format, the club  
8 type as a column would have been helpful so that  
9 you could sort by club type, and then one line  
10 per club.

11 MS. FERTIG: Yes, I agree.

12 DR. LYNCH-WALSH: There are some people that  
13 kind of passed it with flying colors and other  
14 people that kind of --

15 MS. FERTIG: Yeah, I would just like to see  
16 an Excel spreadsheet so we can just keep adding  
17 columns.

18 DR. LYNCH-WALSH: So I think this was a  
19 survey. Right, but to your point, that's --

20 MS. FERTIG: I mean, we could ask someone to  
21 put it in Excel.

22 DR. LYNCH-WALSH: Well, I think they can  
23 export it that way. So we couldn't do anything  
24 with this beyond what we have. So it is what it  
25 is at this point.

1           Okay.  You're leaving, too?

2           MS. FERTIG:  I have to leave in just a  
3           second.

4           DR. LYNCH-WALSH:  Okay.  All right.  And so I  
5           believe they had told us that they were going to  
6           have it June 27th, so this may be something if we  
7           have revenues and expenditures by our July  
8           meeting, maybe, you know -- and if not, I guess  
9           it will be in August, that we would have --  
10          because they are supposed to turn in their  
11          financials on May.  And then maybe we'll have an  
12          answer on getting the booster club guidelines  
13          turned into a policy.

14          Yes, Mr. Naylor.

15          MR. NAYLOR:  The list of booster clubs,  
16          there's probably four or five high schools that  
17          have not -- there's six high schools --

18          DR. LYNCH-WALSH:  That didn't respond?

19          MR. NAYLOR:  That didn't respond.

20          DR. LYNCH-WALSH:  Oh, I missed that.

21          MR. NAYLOR:  Stranahan, Plantation, Nova,  
22          Northeast, Boyd Anderson and Blanche Ely.

23          DR. LYNCH-WALSH:  Wait, really?  Or did they  
24          get -- wait.

25          MS. FERTIG:  I thought I saw Nova.

1 DR. LYNCH-WALSH: I could have sworn -- --  
2 I'm not doubting you, but --

3 MR. NAYLOR: And none of the technical  
4 centers responded; I don't believe.

5 MR. RHODES: Wait, wait, I do see Nova High  
6 as the very last line item, but does that  
7 represent what you were talking about, Mr.  
8 Naylor?

9 DR. LYNCH-WALSH: He's saying Plantation,  
10 Stranahan, none of the technical.

11 MR. NAYLOR: Well, the report that I  
12 reviewed.

13 DR. LYNCH-WALSH: That we're all looking at;  
14 yes.

15 MR. RHODES: The very last line had a Nova  
16 line item. It looked like it was a single club  
17 of some sort.

18 DR. LYNCH-WALSH: Right, but that doesn't  
19 explain the others that I don't see either.

20 MR. NAYLOR: Right.

21 DR. LYNCH-WALSH: Stranahan --

22 MR. NAYLOR: And it's not alphabetical.

23 DR. LYNCH-WALSH: Yeah, it's silly going  
24 alphabetical. No, but to his point, there are  
25 high schools that are missing that should, in

1 theory --

2 MR. NAYLOR: And should the technical centers  
3 be -- I don't know if technical centers have  
4 booster clubs.

5 MR. RHODES: And also the request that we  
6 made left us to rely on the information that they  
7 were going to provide to be comprehensive, so  
8 that point will be transmitted back to the  
9 teaching and learning folks.

10 MR. NAYLOR: I emailed the principal of  
11 Northeast, I did not hear back from him. Because  
12 that's my zone.

13 MR. RHODES: Okay.

14 DR. LYNCH-WALSH: Okay. So then next up --

15 MS. FERTIG: Do you need me for anything?

16 DR. LYNCH-WALSH: Here, you might want to  
17 take this. So the Fund Balance, we probably want  
18 to make our next meeting before this goes to the  
19 July meeting. Remember on my birthday we passed  
20 a motion recommending they incorporate Manatee  
21 Bay in here? They did not.

22 MS. FERTIG: What did they say?

23 DR. LYNCH-WALSH: Well, the staff is here  
24 that does Fund Balance so who can explain why?

25 MR. MAYERSOHN: So if you go on Northeast

1 High School, you go on their website, you can see  
2 the list of all the clubs they have.

3 MR. NAYLOR: Right. I know they have a  
4 band --

5 MR. MAYERSOHN: Art, Band, Biotech, Cheer and  
6 Girls Lacrosse, Canes Club.

7 MR. NAYLOR: But some of those clubs don't  
8 collect funds.

9 MR. MAYERSOHN: Right, but those are all the  
10 clubs that are there.

11 MR. NAYLOR: Right.

12 MS. FERTIG: Now, I have to leave.

13 DR. LYNCH-WALSH: No, it's okay. We may be  
14 able to attach this one anyway.

15 All right. So, Mr. Rhodes, if we could get  
16 the missing ones when we get the stuff from --

17 MR. RHODES: The missing booster clubs?

18 DR. LYNCH-WALSH: The missing booster clubs  
19 and revenues and expenditures?

20 MR. RHODES: And also one other quick  
21 follow-up that I was asked to provide the  
22 proposals, RFP, agreement and score sheets to the  
23 committee from the backup of the RFP we were  
24 discussing today; is that correct?

25 DR. LYNCH-WALSH: Yeah. And there may be

1 more, because if we're going to meet in July to  
2 discuss --

3 MR. RHODES: I'll wait to hear that  
4 additional information from you, but that's what  
5 I have done for now.

6 DR. LYNCH-WALSH: Right. Okay.

7 So, Mr. Rhodes, do you have staff here to  
8 explain -- what I did is I happened to catch late  
9 last night that there was a revision to what we  
10 saw last time after passing our motion to  
11 incorporate Manatee County language. Because we  
12 did that because we liked that Manatee County  
13 addressed the responsibility of the  
14 superintendent and clarified monthly reporting  
15 and, basically, addressed all of our concerns and  
16 we recommended that get incorporated.

17 MR. RHODES: Item 9-I was an updated version  
18 of that policy that was provided to us that's  
19 linked into the agenda.

20 DR. LYNCH-WALSH: Right, I see that now.

21 MR. RHODES: And then I also included the  
22 requested historical information from a prior  
23 board meeting that showed the fund balance  
24 compared to our peers.

25 DR. LYNCH-WALSH: Okay. Hold on. I'm trying



1 to get Manatee. Okay. So in this latest  
2 iteration that just came to us, I handed out --  
3 this is my handwriting, so I, basically, went  
4 through and graded this because I didn't know, it  
5 was probably 10:00 at night.

6 My first question is, who wrote this  
7 revision? I don't see Ms. Motiwala here. You  
8 said you're here representing Ms. Motiwala? She  
9 was here last time.

10 MR. SHIM: Good afternoon, Omar Shim,  
11 Director of Capital Budget. Yes, it's my  
12 understanding that this was revised based upon  
13 working with our general counsel and the chief  
14 financial officer -- or, I'm sorry, the associate  
15 superintendent of finance and accounting.

16 DR. LYNCH-WALSH: Okay. So I'll just -- I'll  
17 just be blunt. This is what this says to me.  
18 This says to me the superintendent is trying to  
19 circumvent responsibility. Because the simplest  
20 thing in the world would have been to have just  
21 taken the recommendations and incorporated them.  
22 That's not what happened. So instead we have  
23 something -- it starts out, to maintain the  
24 financial integrity and stability for the benefit  
25 of the district. To maintain the financial

1 integrity and stability of what? Because that  
2 should be the next word. When you write  
3 something it has to -- and I'm not an English  
4 major, but, generally, if you start out to  
5 maintain the financial integrity and stability  
6 it's of something. And we don't know of what,  
7 because that's not in this sentence. But it  
8 doesn't matter because that's not what we  
9 recommended. We recommended, and I'll go pull  
10 from the last time we had this discussion, the  
11 Orange County --

12 MR. RHODES: I have it up. Do you want me to  
13 read the motion?

14 DR. LYNCH-WALSH: No, no, I know what the  
15 motion is. I'm not looking for the motion, I'm  
16 literally going to pull up the itty-bitty little  
17 policy that is the Manatee County's policy  
18 because we really were not asking for much. But  
19 every word matters and the words that were taken  
20 and applied here, let me see, are significantly  
21 missing things. Was that at our April meeting?  
22 That might be easier. When we discussed --

23 MR. RHODES: I think that was the 6th.

24 DR. LYNCH-WALSH: I'm trying to see when we  
25 had all the other --

1 MR. RHODES: The meeting on June 6th was the  
2 one where we went through what I think you're  
3 talking about right now.

4 DR. LYNCH-WALSH: Yeah, because I'm trying to  
5 find all my other county -- but because this  
6 happened over multiple meetings, the one that  
7 would have all the different counties.

8 MR. RHODES: That's the one on the 6th and I  
9 have the Manatee Fund Balance Policy pulled up  
10 now if there's anything I can do to help you with  
11 that.

12 DR. LYNCH-WALSH: One second. Because I'm  
13 going to pull it up so we can see it. I like  
14 black and white ink, fax receipts. I know you  
15 won't read the receipts, but where are we?  
16 Manatee.

17 Okay. So when we did our motion, this policy  
18 says, the superintendent has the responsibility  
19 for administering the budget once adopted by the  
20 school board. The superintendent shall monitor  
21 the fund balances and shall report the balances  
22 to the board monthly. As required by state law,  
23 and in their case there's a different board  
24 policy, the board shall maintain a general fund  
25 ending balance that is sufficient to address

1 normal contingencies. Why not just use that?

2 Because there's a state statute that we have to  
3 be in compliance with.

4 I guess I'm confused as to why we wouldn't  
5 just have used what was written here.

6 Is it possible to get an answer?

7 MR. NAYLOR: Plagiarism.

8 DR. LYNCH-WALSH: Pardon?

9 MR. NAYLOR: Plagiarism.

10 DR. LYNCH-WALSH: That's not a good enough  
11 reason. You're making a joke. Usually, you are  
12 so serious.

13 MR. SHIM: Do you want me to try to respond  
14 to that?

15 DR. LYNCH-WALSH: Yes, I'd love to hear the  
16 explanation.

17 MR. SHIM: Well, the district utilized, I  
18 guess, its best effort to revise our current  
19 policy. There's, of course, 67 districts across  
20 the state and we -- you know, I think we looked  
21 at the larger ones and this is what we came up  
22 with.

23 DR. LYNCH-WALSH: Okay. So, Mr. Rhodes, now  
24 would be a great time to read that motion from  
25 the audit committee. Because this was just two

1 weeks ago.

2 MR. RHODES: We recommend the school board  
3 incorporate the Manatee County fund balance  
4 policy language to include the proposed --  
5 language into the proposed BCPS fund balance  
6 policy.

7 DR. LYNCH-WALSH: And what was our rationale?  
8 Due to concerns -- wasn't that in there? Due to  
9 concerns about the superintendent reporting?

10 MR. RHODES: That was not included in the  
11 language that I was able to find and cut and  
12 paste in here that was provided to me.

13 DR. LYNCH-WALSH: Oh, okay. All right.

14 Okay. So the audit committee, which is this  
15 committee, made a recommendation for staff -- for  
16 the district to incorporate the Manatee County  
17 language. Instead we got something where the  
18 first sentence is not even written in proper  
19 English. Then we move down to compliance, it  
20 says the school board's fund balance shall be in  
21 compliance with the requirements of Florida  
22 Statute. The school board's fund balance  
23 reporting shall be in compliance; was that the --  
24 I forget what statute. Hold on. It is Florida  
25 Statute -- so Florida Statute 1011.051.

1 MR. NAYLOR: Nathalie?

2 DR. LYNCH-WALSH: Yes, sir.

3 MR. NAYLOR: We are advisory.

4 DR. LYNCH-WALSH: I know. We advise. I'm  
5 not saying they have to comply. I'm just  
6 pointing out that they did not take any of the  
7 advice.

8 MR. NAYLOR: Just clarifying. Thank you.

9 DR. LYNCH-WALSH: Yeah, yeah, yeah. No, you  
10 can lead a horse to water. I'm just pointing out  
11 where we led the horse to water and it refused to  
12 drink. And because I get particular when I have  
13 to read things very closely, I graded it for  
14 grammar and missing words and stuff like that.

15 So if you look at this statute it says  
16 that -- let's see. Something about fund balance  
17 reporting. So should -- under compliance, this  
18 fund balance has to be in compliance but  
19 shouldn't the reporting? You may want to  
20 consider whether the word "reporting" was missed.  
21 The second page, it says the goal of the general  
22 fund ending balance not classified as restricted,  
23 committed or nonspendable is to strive to attain  
24 five percent. I wrote here use professional  
25 language, like plan, which is the language that

1 they're using in Manatee, the word "plan". An  
2 inanimate object cannot strive to do anything  
3 because it's not a living thing. So the general  
4 fund ending balance cannot strive to attain  
5 something. It is the thing that we are striving  
6 to attain. That's on page 1 and 2 on page 2 of  
7 3.

8 And then under reporting I see we're going  
9 with quarterly, not monthly as -- just pointing  
10 that out. B, this is straight up from the  
11 statute. The statute says, if at any time the  
12 portion of the general fund's ending balance not  
13 classified as restricted, committed or  
14 nonspendable is projected to fall, not just  
15 falls. So we left the word "projected" out in  
16 two places here. You caught it in C.

17 So just for the group -- yes sir?

18 MR. NAYLOR: Could you just submit your  
19 comments to them and see what they think?

20 DR. LYNCH-WALSH: I did give them a handout.  
21 Do you want them to respond now?

22 MR. NAYLOR: No, no, because he's not making  
23 the decision.

24 MR. SHIM: But I can -- if I may, through the  
25 Chair? If I may, through the Chair?

1           So this revision that I think was submitted,  
2 I'm not sure where it falls from your last audit  
3 committee report and the motion that was read.  
4 But I'll make sure.

5           DR. LYNCH-WALSH: It didn't take any of  
6 the -- it took absolutely none of the motion and  
7 incorporated it is where it falls.

8           MR. SHIM: So I just want to make sure that  
9 we were aware that this draft was drafted after  
10 that -- after that motion was made.

11          DR. LYNCH-WALSH: It was.

12          MR. SHIM: And that -- well, that we  
13 considered what the committee recommended, as  
14 well as the revision -- this markup that you --  
15 that the committee gave us. We'll review this  
16 and consider that.

17          DR. LYNCH-WALSH: Right. So, like I said, we  
18 are advisory, and I can also only advise when  
19 there are actual errors that you fix them, but I  
20 will be bringing this up with the board also.  
21 Because why do we spend our time advising? We  
22 used a policy from a district that has been taken  
23 over by the state that was clear and everybody  
24 shared the same concerns. So I can see where  
25 this is going. And, like I said, this says to me



1 that the superintendent is trying to avoid  
2 responsibility for administering the budget and  
3 is trying to put it all on the board. And so  
4 that would be another concern. But we'll discuss  
5 further next time we meet. I just -- since I  
6 made the handout -- and then the board will be  
7 given the Manatee County, I'll just hand it to  
8 them next week and say this is -- and I was -- if  
9 I had time I was going to do a table, you know,  
10 this is what they have and this is what staff is  
11 doing. Like you draw your own conclusion as to  
12 what's happening here.

13 I'm trying to eat so I don't get hangry, but  
14 I'm not being successful.

15 So that's -- that's all I have on that one.  
16 So if -- so you guys are going to take it under  
17 advisement, I guess, and go back. And just so  
18 we're clear, when is the July meeting when this  
19 goes to the board?

20 MR. SHIM: It's July 23rd.

21 DR. LYNCH-WALSH: Okay. So we should aim for  
22 having our meeting prior to July 23rd, Lew.

23 MR. SHIM: I also wanted to thank the  
24 committee for the input that you provided. I  
25 mean, I know what your feedback is and to assure

1 that we're considering all the feedback and we'll  
2 incorporate it, you know, based upon going  
3 forward.

4 DR. LYNCH-WALSH: You said it was Ms.  
5 Motiwala and legal? The superintendent had  
6 nothing to do with it?

7 MR. SHIM: All the recommendations to the  
8 board, of course, go through the superintendent.

9 DR. LYNCH-WALSH: Okay. All right. Thank  
10 you.

11 All right. So that gets us back to Internal  
12 Funds.

13 MR. NAYLOR: Can I just ask a quick question?

14 DR. LYNCH-WALSH: Oh, sure.

15 MR. NAYLOR: This hasn't been presented to  
16 the board yet?

17 DR. LYNCH-WALSH: It went initially in a  
18 workshop, but not this version; no.

19 MR. NAYLOR: Okay. Thank you.

20 DR. LYNCH-WALSH: Okay. So we're back to  
21 Internal Funds.

22 MR. MAYERSOHN: Yep.

23 DR. LYNCH-WALSH: You had some questions?

24 MR. MAYERSOHN: On internal funds?

25 DR. LYNCH-WALSH: Yeah, let me get rid of my

1 other stuff. We need to color code our meetings  
2 because I can't keep my meetings straight.

3 MR. RHODES: Madam Chair?

4 DR. LYNCH-WALSH: Sir?

5 MR. RHODES: There was a page discovered  
6 missing from the Internal Funds. We were going  
7 to hand it out to the entire committee at the  
8 time that we were discussing this, but I can  
9 follow-up and send an electronic copy of this to  
10 the folks that had to leave early, but we're  
11 handing it out right now for everybody else.

12 DR. LYNCH-WALSH: And has this been put into  
13 the -- updated on-line?

14 MR. RHODES: We're updating it as we speak.

15 DR. LYNCH-WALSH: All right. This is  
16 dragging. So we got to -- you guys hit the 90 --  
17 just over 90 percent? 93 percent?

18 MS. ARCESE: Correct.

19 DR. LYNCH-WALSH: Okay. So we're in  
20 compliance on that.

21 MR. RHODES: Madam Chair, one more question?  
22 Mr. Shim wants to know if there's anything else  
23 that he needs to be here to answer questions for  
24 and I don't see anything left on the agenda, I  
25 just want to check.

1 DR. LYNCH-WALSH: I don't think so unless you  
2 want to -- unless you want to start answering  
3 Internal Funds questions. Because I don't see  
4 any regional superintendents; nobody came to  
5 respond to any of these?

6 MR. RHODES: We have a decline from Ted  
7 Toomer, we had no response specific to not  
8 showing up from either Dr. Fleming or Mr.  
9 Strauss. So we had expected there would likely  
10 be somebody here to respond to that.

11 DR. LYNCH-WALSH: I get it. I wouldn't want  
12 to show up either, but, still --

13 All right. So did you have any questions?  
14 Did you have questions, Mr. Medvin?

15 MR. MEDVIN: Yeah, I noticed in the findings  
16 there were two findings dealing with problems  
17 with the after school programs. And I remember  
18 in my professional life 30 years ago we had a  
19 client that was a contractor for the schools.  
20 And way back then it was crazy. And I'm talking  
21 20 years ago. So I know from that it's a big  
22 thing. I'm sure it still is a big thing. And my  
23 question is when we see two similar significant  
24 problems in failure to pay is what is the policy  
25 and the requirements for these programs? Because

1 I believe that most of them are outside  
2 contractors that get -- that come into the school  
3 and operate the programs?

4 MS. ARCESE: So there's two models. So, Ali  
5 Arcese, Office of the Chief Auditor, Audit  
6 Director. There are two different models that  
7 the schools have a choice. They can run their  
8 own before and after school care in-house with  
9 staff and have a before and aftercare director or  
10 supervisor running the program, and that's all  
11 in-house, or they can opt to have a provider, a  
12 before and aftercare provider provide the  
13 services and then the fees collected they then  
14 get 15 percent of the fees collected from the  
15 outside provider, and the school -- there's a  
16 whole process involved with that process. Plus  
17 there's additional -- the outside provider has to  
18 also provide consumables and things like that.  
19 But there is very clear policies and procedures  
20 in place for that; yes.

21 MR. MEDVIN: Well, what percentage of the  
22 schools use an outside provider versus --

23 MS. ARCESE: I don't have that percentage for  
24 you, but I can get that for you.

25 MR. MEDVIN: Is it a big amount or -- because

1 I know at one time it was.

2 MS. ARCESE: Off the top of my head I can't  
3 give you a number. I don't feel comfortable  
4 giving a number regarding that.

5 MR. MEDVIN: And these outside providers,  
6 they collect the actual fees, all of that, for  
7 their location?

8 MS. ARCESE: Correct. There's a whole  
9 program for that.

10 MR. MEDVIN: And if it's internal somebody  
11 within the school does it?

12 MS. ARCESE: Right. Right.

13 DR. LYNCH-WALSH: Okay. So, yeah, that  
14 sounds like homework, to get a school-based  
15 versus outside aftercare list.

16 Would that be a standard practice bulletin?

17 MS. ARCESE: So there is policy, there's  
18 actual policy, and then there's also standard  
19 practice bulletin, there's a whole department  
20 that manages the before and aftercare program, as  
21 well. There's a director that's assigned to that  
22 department and staff under that department that  
23 -- that -- there's a whole program for that.

24 DR. LYNCH-WALSH: All right. Mr. Naylor?

25 MR. NAYLOR: Yeah, to follow up on that

1 point, both schools, though, said that they had  
2 been directed by the business service center?

3 MS. ARCESE: So I believe it was the before  
4 and aftercare program director that was directing  
5 them to use a facility rental agreement at the  
6 time. That person is no longer with the  
7 district, the director at the time.

8 DR. LYNCH-WALSH: Oh, because that was one of  
9 my questions. Do you mean my city council member  
10 or do you mean a person that's not here anymore.

11 MS. ARCESE: I don't know who your city  
12 council member is.

13 DR. LYNCH-WALSH: All right. Well, that's my  
14 internal dialogue. If you say the person's no  
15 longer with the district I think we mean Dr. G.

16 THE WITNESS: Dr. Gavilan? No, she is no  
17 longer here.

18 DR. LYNCH-WALSH: Because I have some tabs on  
19 this when we get there.

20 MR. MAYERSOHN: So getting back to that, were  
21 the two after school providers, they were not  
22 approved providers?

23 MS. ARCESE: So, from what I understand from  
24 the -- I went back and did some research  
25 regarding this matter, there was a contract in

1 place for providers. One included summer school  
2 programs. Let me back up.

3 The RFP includes summer school programs,  
4 aftercare programs for like short days,  
5 non-school days, and then you have the before and  
6 aftercare program.

7 MR. MAYERSOHN: Winter break, spring break.

8 MS. ARCESE: So there's different formats.

9 MR. MAYERSOHN: Right.

10 MS. ARCESE: In some of the instances, from  
11 what I understand, certain vendors were approved  
12 as summer program providers and some were  
13 approved as before and aftercare providers, and  
14 then there were some that were approved for both.  
15 So depending on their submission, their RFP, how  
16 they remitted, they would be approved based on  
17 those criteria. And so the RFPs identified which  
18 vendors were approved for what.

19 I believe I was told that there was some sort  
20 of difficulties trying to run the program right  
21 after COVID, they needed assistance, and so they  
22 needed to use a provider. And I guess some of  
23 these providers were not approved for certain  
24 criteria, which was the before and aftercare  
25 program, and so they used the facility rental



1 agreement to then -- that's what the schools are  
2 saying they were being directed to use.

3 DR. LYNCH-WALSH: Okay. So the RFP was from  
4 2020; right?

5 MS. ARCESE: Right.

6 DR. LYNCH-WALSH: Hence the number 20?

7 MS. ARCESE: Yes.

8 DR. LYNCH-WALSH: So it seems reasonable that  
9 if you came along to offer a program after 2020  
10 how else would you -- if you weren't approved,  
11 what else should you be doing?

12 MS. ARCESE: Go back and --

13 DR. LYNCH-WALSH: In a time machine? No, no,  
14 I'm saying, if they didn't exist in 2020 --

15 MS. ARCESE: It's not that they didn't exist.  
16 They may have only been approved for one of the  
17 two components.

18 DR. LYNCH-WALSH: Oh, you're saying these  
19 guys that are noted in here were part of the RFP  
20 but not necessarily for the services they were  
21 providing?

22 MS. ARCESE: Correct.

23 DR. LYNCH-WALSH: Okay. But, related note,  
24 if you wanted to offer services after 2020, what  
25 would you do?

1 MS. ARCESE: Well, from a procurement  
2 standpoint, they would have to go back out and  
3 procure additional services if they -- if you  
4 didn't have providers that could provide services  
5 to a school.

6 DR. LYNCH-WALSH: Right. Let's say there's  
7 someone who has a great idea, a program they want  
8 to implement, but they weren't part of the RFP?  
9 So then that alone would be enough to get  
10 procurement to put out another RFP?

11 MS. ARCESE: No, I would think it's the  
12 internal need at the school.

13 DR. LYNCH-WALSH: That's what I'm saying.  
14 Let's say there was a need -- I'm just creating a  
15 hypothetical scenario.

16 MR. MAYERSOHN: You could piggyback on the  
17 existing contract with someone.

18 MS. ARCESE: Right. I mean, that's a  
19 Procurement question.

20 MR. MAYERSOHN: If you're XYZ Company and you  
21 wanted to provide a robotics program after school  
22 but the current -- but they're not approved, they  
23 could go to the current after school provider as  
24 a subcontractor and provide the program.

25 DR. LYNCH-WALSH: They can?

1 MR. MAYERSOHN: Right? I mean, I'm assuming  
2 that if XYZ Company was an after school provider  
3 and somebody said, hey, let's provide a robotics  
4 program, and they may not be doing it themselves,  
5 they are held accountable and they just contract  
6 out somebody or subcontract out to provide the  
7 program, as long as they meet the requirements of  
8 background checks and whatever it may be. They  
9 do it all the time, I believe.

10 MS. ARCESE: Again, Procurement would be the  
11 one to answer those questions.

12 MR. MAYERSOHN: Right.

13 MS. ARCESE: But I think that if there is a  
14 need at the school, then that's what the RFP is  
15 for; right? Then they go to the bid, they see  
16 who's there. There's more than one vendor there.  
17 So they would then choose, if one couldn't  
18 provide, then the next could provide. Outside of  
19 that, I'm not privy to what happened, why they  
20 felt that they needed to go through the -- why  
21 they were being directed to use the facility  
22 rental agreement?

23 MR. MAYERSOHN: Because I believe they  
24 weren't an approved provider of that service.

25 MS. ARCESE: But there were many others that

1 were. That's my point. I don't know why they  
2 couldn't choose the others that were approved and  
3 that's not something that I can answer.

4 MR. MAYERSOHN: Right.

5 DR. LYNCH-WALSH: But here's the problem that  
6 creates. So, for instance, the district on the  
7 construction side pre-approves vendors all the  
8 time. You're pre-approved to be a vendor and you  
9 can then bid on whatever through the pre-qualify  
10 process.

11 MS. ARCESE: That's a little different,  
12 though.

13 DR. LYNCH-WALSH: No, no, but same concept,  
14 actually, conceptually. Also they will create  
15 pools of vendors for continuing services so that  
16 you have pools. And that happens frequently  
17 enough. Because, otherwise, what you potentially  
18 create, if you have an RFP that's from 2020 and  
19 now you have a provider that wants to provide a  
20 specific type, you are cutting out new people  
21 from ever getting in until you put out another  
22 RFP. And based on where we are, that could be  
23 something that is done either intentionally or  
24 through inertia because nobody does something  
25 systematically.

1 Case in point, I pulled up the before and  
2 after school student program policy. I was 24  
3 the last time it was touched. You may recall,  
4 I'm a little bit more than that now. 1993.  
5 Clearly, we're not paying attention to what we're  
6 doing policy-wise.

7 So I think it -- I don't know why -- in  
8 trying to get at why they did that, why they did  
9 the facility rentals, there could be many  
10 reasons. But one of them could simply be there  
11 hadn't been an RFP in a couple of years, they  
12 weren't on the list.

13 MR. MAYERSOHN: Right. But the other part of  
14 that issue is that is they didn't contribute the  
15 15 percent.

16 DR. LYNCH-WALSH: But they're not  
17 contractually obligated to do that.

18 MS. ARCESE: Correct.

19 MR. MAYERSOHN: Right. But still, as part of  
20 -- a part of another vendor, they're usurping the  
21 process of the 15 percent.

22 DR. LYNCH-WALSH: And that could be a reason  
23 for doing -- now, that's another reason, is that  
24 you don't want to do the 15 percent, so you do  
25 this facility rental agreement where you're not

1 contractually obligated.

2 MS. ARCESE: Which would violate the policy,  
3 so they really shouldn't be doing it.

4 DR. LYNCH-WALSH: We violate all kinds of  
5 policies. We have policies that violate the  
6 requirement to stay up to date with state law,  
7 so --

8 MR. MAYERSOHN: So the other -- I think the  
9 other question is, which you answered my question  
10 before, but, so legal, is legal going to pursue a  
11 clawback; or we don't know?

12 MS. ARCESE: So -- and I don't have the  
13 timeline exactly date for date, legal was made  
14 aware of this and provided the schools that were  
15 using this practice a letter to cease and desist  
16 within 30 days. So they were aware. They just  
17 weren't aware of -- I don't know what they were  
18 or weren't aware of are or what information they  
19 had. We're just going back to say -- and this is  
20 something that we had recommended in a previous  
21 report, was that we do recommend that the schools  
22 seek guidance from general counsel and see if  
23 there is anything. Because I believe that some  
24 of the vendors that were on the facility rentals  
25 are now current vendors providing the same

1 service through a newly approved RFP, as they did  
2 qualify.

3 DR. LYNCH-WALSH: Oh, there's a new RFP?

4 MS. ARCESE: It has passed, I believe, in  
5 '24, if I'm not mistaken. '23 or '24.

6 MR. MAYERSOHN: So that's a legal issue.

7 DR. LYNCH-WALSH: Uh-huh. Yeah, I have some  
8 stickies.

9 MR. MAYERSOHN: The other -- and I guess the  
10 other question that I have is on the Western  
11 internal funds.

12 DR. LYNCH-WALSH: Can we stay on these first?

13 MR. MAYERSOHN: Oh, you want to stay on  
14 these?

15 DR. LYNCH-WALSH: Yes, until we get --

16 MR. MAYERSOHN: The two schools or just the  
17 --

18 DR. LYNCH-WALSH: Yes, the two, because it's  
19 the same issue?

20 MR. NAYLOR: It's the same issue.

21 DR. LYNCH-WALSH: Right. So Business Support  
22 Center -- the Business Support Center, they don't  
23 monitor payments or approve vendors?

24 MS. ARCESE: I don't know what they monitor.

25 DR. LYNCH-WALSH: Let me rephrase that.

1           In their procedures, standard practice  
2 bulletins, should they not be?

3           MS. ARCESE: I don't recall reading that in  
4 their standard practice bulletins.

5           DR. LYNCH-WALSH: So nobody approves --  
6 nobody reviews whether the vendor is approved or  
7 not?

8           MS. ARCESE: Again, there is a before and  
9 aftercare department that assists schools through  
10 this process. I don't know what -- other than  
11 the collection of moneys and how the schools are  
12 supposed to remit those dollars, I believe is  
13 what the standard practice bulletin guides the  
14 schools through.

15          DR. LYNCH-WALSH: I mean, because that would  
16 seem like an internal controls --

17          MS. ARCESE: So there's a whole manual on  
18 before and aftercare programs that is put out by  
19 the before and aftercare department.

20          DR. LYNCH-WALSH: Is that part of the --

21          MS. ARCESE: That is not part of the Business  
22 Support Center.

23          DR. LYNCH-WALSH: Okay. But what is the --

24          MR. MAYERSOHN: So, I guess, just to  
25 interject, the facility rental --



1 MS. ARCESE: Uh-huh.

2 MR. MAYERSOHN: -- we don't know necessarily  
3 if these two vendors provided whatever the -- I  
4 mean, obviously, signing an agreement providing  
5 whatever the cost was, custodial costs, whatever  
6 they have, is there documentation that they  
7 provided the dollar amount?

8 MS. ARCESE: There was nothing -- I mean, I  
9 don't recall. I know in some of these instances  
10 they didn't provide us any information. I know  
11 that the prior audit, when we requested  
12 attendance and some of the components that are  
13 required by the before and aftercare program, the  
14 vendor was not able to provide us that  
15 information.

16 MR. MAYERSOHN: So even on -- just in  
17 general, if somebody is -- if somebody is -- if  
18 the school is providing a facilities rental and  
19 we were to audit it for compliance, can we do  
20 that? I mean, I'm not asking for an audit, I'm  
21 just saying, is there -- because you said it's  
22 all paper, it's not electronic?

23 MS. ARCESE: It was at this time; right. I  
24 believe now it has now moved onto Facilitron is  
25 the new vendor that is on-line. But at the time

1 when this took place it was all paper based.

2 MR. MAYERSOHN: Right.

3 MS. ARCESE: And so those are actually kept  
4 at the school.

5 MR. MAYERSOHN: Okay.

6 MS. ARCESE: So we'll have to pull those.

7 MR. MAYERSOHN: No, I was just curious to see  
8 if, actually, you know, whatever -- because,  
9 again, whether they were considered a nonprofit,  
10 whether they were considered some other, you  
11 know, group, because they are basically a  
12 nonprofit or they should be a nonprofit. Most of  
13 the aftercare programs are, I believe. There may  
14 be some that are for profit, but most of them are  
15 nonprofit, just from my historical perspective.

16 Do you have any other questions?

17 DR. LYNCH-WALSH: Yeah, I don't understand  
18 how the private provider donated 18 grand. I  
19 understand that then the donation rules apply.  
20 But a global issue I'm having with this is I'm  
21 noticing the director of the Business Support  
22 Center gets to give a response and there is no  
23 supervisor above him that then -- you know, like  
24 the principals give a response and then there's  
25 like two levels above them saying we're going to,

1 you know, take them out back and train them and,  
2 you know, straighten them out and all that. The  
3 Business Support Center, for as many findings as  
4 there are attached to people that work for the  
5 Business Support Center, yes, he copied his  
6 supervisor, but his supervisor never says, we're  
7 going to take this up with the director. Because  
8 at some point we have to look at whether the fact  
9 that we keep having findings and the common  
10 denominator is the person running the Business  
11 Support Center, who, by the way, all of a sudden  
12 Cherry Bekaert isn't being paid to develop  
13 standard practice bulletins and they've created  
14 an assistant director position by elevating  
15 someone who already works there. Which,  
16 translation, they did the complete opposite of  
17 common sense.

18 But, anyway, that's on that one. You  
19 answered that one.

20 MR. NAYLOR: Nathalie, just a quick question  
21 for clarification.

22 DR. LYNCH-WALSH: Mm-hmm.

23 MR. NAYLOR: When you use an off-site  
24 provider does any of that money go back to the  
25 school?

1 MS. ARCESE: So I believe what happens --

2 MR. NAYLOR: 15 percent goes to the district,  
3 is there a percentage that goes to the school?

4 MS. ARCESE: So a portion of that gets  
5 converted into budget dollars for them to use for  
6 the budget.

7 MR. NAYLOR: Thank you. Thank you.

8 DR. LYNCH-WALSH: So -- and the reason I  
9 bring up that it never goes further than the  
10 director level, which, to me, is a vehicle of a  
11 principal in the context of this discussion, is  
12 you have the director of the Business Support  
13 Center rejecting the auditors recommendation to  
14 remit the balance of 9,370.20 remaining in the  
15 internal funds to the district for aftercare fees  
16 because he's maintaining that it was a donation  
17 restricted for the purpose of the funding. So he  
18 gets the last say on that? He just rejects the  
19 findings? What happens? Because a principal  
20 can't do that without a director or a regional  
21 chiming in at a minimum.

22 MR. NAYLOR: What's that?

23 DR. LYNCH-WALSH: Regional superintendent.

24 MR. NAYLOR: No, no, no. You're saying that  
25 they can't -- a principal can't do --

1 DR. LYNCH-WALSH: Like if the principal  
2 rejects -- I've never actually -- I don't think  
3 I've ever seen a principal say I reject, like  
4 they reject the recommendation.

5 MR. MAYERSOHN: Yeah, you did, he vehemently  
6 disagreed.

7 DR. LYNCH-WALSH: Oh, wait, until Western.  
8 You're right. That's the first time I've ever  
9 seen that.

10 MR. MAYERSOHN: Vehemently.

11 DR. LYNCH-WALSH: Vehemently; yes. I stand  
12 corrected. The first time I've ever seen a  
13 principal reject something.

14 MS. ARCESE: That responsibility falls on the  
15 principal to ensure remittance.

16 DR. LYNCH-WALSH: No, we're talking -- but  
17 we're still on the school.

18 MS. ARCESE: That's what I mean.

19 DR. LYNCH-WALSH: But so -- but the Business  
20 Support Center is saying, we reject the  
21 auditors -- this is on page 7. We reject the  
22 auditor's recommendation and nobody above him  
23 says anything? Because the person above the  
24 principal of Western --

25 MR. NAYLOR: And the area superintendent was

1 copied; right?

2 DR. LYNCH-WALSH: Huh?

3 MR. NAYLOR: Wasn't the area superintendent  
4 copied?

5 MS. ARCESE: Well, I think the Business  
6 Support Center reports to --

7 DR. LYNCH-WALSH: Jennifer Andreu and then  
8 the executive directorate.

9 MS. ARCESE: We can request that, if you  
10 like, as a part to ensure that that gets included  
11 in the report that gets remitted to the board. I  
12 can reach out and request that; absolutely.

13 DR. LYNCH-WALSH: Yeah, because I get that  
14 it's the school's responsibility, but not for  
15 nothing, the Business Support Center was the one  
16 in charge when this happened.

17 So, anyway, but those are my observations, I  
18 think, on -- yeah, on those.

19 And then my next one, Nova --

20 MS. ARCESE: So I just want to be clear  
21 before we move on.

22 DR. LYNCH-WALSH: Yeah.

23 MS. ARCESE: Am I requesting to add -- is  
24 that something you want me to add to the report  
25 going forward or is that something you wanted me

1 to add to this report, specifically, before we  
2 submit it?

3 DR. LYNCH-WALSH: It's more like a global  
4 observation.

5 MS. ARCESE: Okay.

6 DR. LYNCH-WALSH: Because I'm noticing that,  
7 especially with this one --

8 MS. ARCESE: Right.

9 DR. LYNCH-WALSH: -- that unlike the  
10 principal who has to, you know, their supervisor  
11 and supervisor's supervisor is seeing and has to  
12 respond --

13 MS. ARCESE: I understand.

14 DR. LYNCH-WALSH: -- the Business Support  
15 Center, who is over their own set of bookkeepers  
16 does not face the same level of scrutiny.

17 And I get that we've had a lot of support  
18 coming from fairly high on regarding, you know,  
19 the deputy superintendent of operations and all  
20 that, but from a procedural perspective, it seems  
21 like if you're going to ding the bookkeepers that  
22 report to the principal and the full chain of  
23 command, the same rules should apply. So that  
24 might be more of a Dave Rhodes discussion with,  
25 you know, the chair or the board, or when we talk

1 about this next time, rather than you taking that  
2 on.

3 Yes?

4 MR. NAYLOR: Is there anything else that we  
5 need to vote on?

6 DR. LYNCH-WALSH: No.

7 MR. NAYLOR: We're done?

8 DR. LYNCH-WALSH: Yeah, we're done voting.

9 MR. NAYLOR: Because I need to leave at 1.

10 DR. LYNCH-WALSH: Okay. Well, I was trying  
11 to do that. I have a headache. But Western and  
12 then I think we're good. So.

13 MR. MAYERSOHN: No, I mean --

14 DR. LYNCH-WALSH: Western? Full disclosure,  
15 my child is the editor-in-chief of the yearbook  
16 at Western, but I didn't see her name mentioned  
17 nor did they accuse students of wrongdoing so --  
18 but just so you know.

19 MR. MAYERSOHN: I mean, again, my only  
20 comment in a broad perspective is that we see the  
21 response of whether it's the principal or the  
22 area superintendent of -- we acknowledge what the  
23 exceptions are, we're going to rectify them by  
24 doing training, which we're supposed to do  
25 anyway, and please forgive us, and it will never



1       happen again.

2               And, I guess, A, are these repeat offenders?  
3       B, is there almost -- I mean, because principals  
4       talk to each other all the time. They have  
5       principal meetings. So do they communicate with  
6       each other and say, hey, I got, you know, dinged  
7       by the auditors on this area, make sure -- and  
8       especially this goes back to, you know, also to  
9       Property & Inventory, as well.

10              MS. ARCESE: Well, you have to keep in mind,  
11       as well, these are a year back. But, obviously,  
12       going forward we should see some sort of  
13       improvement of any findings.

14              MR. MAYERSOHN: Right. Right, but some of  
15       these things, I mean, the after school programs  
16       was kind of new, but some of these items have  
17       been, historically, consistently done.

18              MS. ARCESE: Right.

19              MR. MAYERSOHN: And I get it, the parties  
20       change, somebody may be an assistant principal,  
21       now they're a principal or somebody may have been  
22       a principal and now they're an area  
23       superintendent or cadre director or whatever  
24       they're called now, but it's -- it's -- it almost  
25       seems very simple that when you purchase

1 something and you don't have a receipt, I mean,  
2 these are just common sense practices. There are  
3 some complicated issues where somebody transfers  
4 money and doesn't do -- transfers it from the  
5 right thing and thought they were going to  
6 transfer it here, I get that. But when you're  
7 procuring something and you don't have a receipt  
8 for it, where's the receipt, I don't know. I  
9 mean, those are some of the basic things that  
10 just to me is unacceptable. You know, and  
11 especially handling money because -- I mean,  
12 there is definitely opportunity for fraud in a  
13 lot of these things. And, again, I'm not  
14 accusing anybody, but what I'm just saying is,  
15 when you procure it and you don't have a receipt  
16 for it, it just throws to me a red flag. And  
17 then when a principal, vehemently, objects and  
18 that principal has been there for a while, it's  
19 not like he's a new principal, you know, he  
20 objects but yet he's going to comply with doing  
21 whatever it is. So I just don't -- his objection  
22 is based upon what? And, unfortunately, I wish,  
23 you know, cadre or the area superintendent or  
24 somebody was here to explain what he's,  
25 vehemently, objecting to, just more out of

1 curiosity than anything else. So --

2 DR. LYNCH-WALSH: Lew is going to leave in  
3 four minutes. We're doing the Western one real  
4 quick. But to your point --

5 MR. MAYERSOHN: Sorry, it will never happen  
6 again.

7 DR. LYNCH-WALSH: No, on page 50 where he,  
8 vehemently, objects, the issue that seems to have  
9 gotten him into trouble is they claim that the  
10 reason he paid the 21,000 is that the price  
11 tripled. Well, the price did not triple, so  
12 there was no reason. And then the excuse changed  
13 to he was trying to create this legacy balance,  
14 which my question what, was the balance  
15 pre-COVID? Because I -- I could understand --

16 MS. ARCESE: 10,000.

17 DR. LYNCH-WALSH: 10,000 was on average?

18 MS. ARCESE: Well, I don't know what average  
19 was, but I did ask that question and it was  
20 10,000 going into that school year.

21 DR. LYNCH-WALSH: But it was COVID time, the  
22 COVID era. Because that's what he said, was to  
23 create this legacy, you know, to replenish the  
24 legacy thing. That was after he got caught about  
25 it being tripled. I think that people would have

1 understood helping, but the tripling is a  
2 straight-up falsehood it would seem, because it  
3 didn't triple. It went up 1,600 bucks.

4 MS. ARCESE: Right. So that's exactly why I  
5 researched what was truly paid versus what  
6 originally was the quote that they received in  
7 August at the beginning of that school year. And  
8 there really wasn't much of a difference. I  
9 mean, there was a little bit of a difference but  
10 not triple.

11 But then the other component of that, right,  
12 so internal funds is intended for the students  
13 that you collect the funds for. There shouldn't  
14 be a practice of creating legacy account  
15 balances, because the kids that you collect the  
16 funds from is really who should benefit from  
17 those funds.

18 And I understand that, you know, as the  
19 report reads, we understand that you wanted to,  
20 but if you were wanting to go give something back  
21 to the students, then refunds would have been  
22 probably been what would have happened if that  
23 was the case. But you don't carry it forward.

24 DR. LYNCH-WALSH: Or also gifting it to the  
25 next class. Like there are ways that he could

1 have accomplished the same thing without --

2 MS. ARCESE: So he did that, but he did --  
3 the students wrote -- in order -- so at the end  
4 of every school year, whatever the graduating  
5 class is has the opportunity of moving that --  
6 those funds forward and allowing for the next --

7 DR. LYNCH-WALSH: Right.

8 MS. ARCESE: But the problem is is that the  
9 field trip, they collected, specifically, money  
10 to pay for that transportation. And so that's  
11 why we were saying that if you wanted to gift the  
12 kids, then you would have refunded the funds.  
13 That would have been the gift to the kids that  
14 you collected the funds from, which is in  
15 alignment with Chapter 8. In other words, the  
16 kids that benefited from the money --

17 DR. LYNCH-WALSH: Yeah, no, we get it. He  
18 didn't do any of the things, the options that  
19 would have kept him out of trouble, so it kind  
20 of -- it raises the question, was that for some  
21 other purpose? Because they have incentive, they  
22 keep ending with this 20,000.

23 MS. ARCESE: Correct. Right.

24 DR. LYNCH-WALSH: So do they even know that  
25 they have this to spend? Why aren't they

1 spending it? Anyway -- all right. Well, thanks.  
2 We'll be in touch about a July meeting. Thank  
3 you all for doing twice as many meetings, I think  
4 it's twice as many meetings.

5 MS. ARCESE: Three times.

6 DR. LYNCH-WALSH: Three? Oh, you guys count  
7 them?

8 MS. ARCESE: Yeah, we lived it.

9 DR. LYNCH-WALSH: Us, too. You should see  
10 the headache I have from the intercom research.

11 All right. So Teams in July. I'll see you  
12 guys there. Thanks again.

13 (Meeting was concluded at 1:01 p.m.)  
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REPORTER'S CERTIFICATE

STATE OF FLORIDA  
COUNTY OF BROWARD

I, Timothy R. Bass, Court Reporter and Notary Public in and for the State of Florida at Large, hereby certify that I was authorized to and did stenographically report the foregoing proceedings, and that the transcript is a true and complete record of my stenographic notes thereof.

Dated this 3rd day of July, 2024, Fort Lauderdale, Broward County, Florida.



TIMOTHY R. BASS  
Court Reporter

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