



Meeting Minutes Duval County Public Schools

April 27, 2021, Board Workshop

Ms. Elizabeth Andersen, Chairman
Mr. Darryl Willie, Vice-Chairman
Dr. Kelly Coker
Ms. Lori Hershey
Mr. Warren A. Jones
Ms. Charlotte D. Joyce
Ms. Cindy Pearson
Dr. Diana Greene, Superintendent

ATTENDANCE AT THIS MEETING OF THE DUVAL COUNTY SCHOOL BOARD: All Board Members were present with the exception of Board Members Lori Hershey and Charlotte Joyce. Vice Chairman Darryl Willie participated via interactive video/telephone system. Dr. Diana Greene, Superintendent, and Ms. Rita Mairs, Office of General Counsel, were also present.

Call Meeting to Order

The meeting was called to order at 9:06 a.m.

1. APPROVAL OF BOARD MEMBERS VIA INTERACTIVE VIDEO/TELEPHONE SYSTEMS

Motion:

That the Duval County School Board approve the participation of Vice Chairman Darryl Willie via interactive video/telephone systems.

Vote Results:

Motion: Kelly Coker

Second: Cindy Pearson

PASSED 4 - 0

Aye:

Warren Jones
Elizabeth Andersen
Kelly Coker
Cindy Pearson

Nay:
None

Items to be Discussed

1. PURCHASING

Brian McDuffie, Executive Director of Policy and Compliance, through a PowerPoint presentation, provided updated information regarding Purchasing Services based on concerns presented at the April 20, 2021, Board Workshop. He stated that he met with Office of General Counsel (OGC) Rita Mairs and others to address their concerns.

The topics covered were:

- having more of a team approach with OGC when dealing with contracts
- contact different agencies to compare what they do regarding contracts
- what can be done to further enhance the process in the Purchasing Dept.
- policy and process changes to be ready before the next subcommittee meeting

Board Member Dr. Coker:

- the Sunshine Law as related to the committee work
- forming a committee to look at the process and include OGC
- reaching out to the Purchasing Depts. from other organizations who are also under the Sunshine Law
- include Chief Officer of Information Technology Jim Culbert in the process
- reaching out to someone in another county who has dealt with the referendum and an expert in the purchasing area
- doing a deep dive in the policies and procurement procedures from other large counties who have dealt with the referendum

Mr. McDuffie response:

- has already looked at more than 12 other districts including districts that had a sales surtax to look at their structure and process; see if they had a committee structure
- procurement decisions are made by the Director of Procurement Office
- looking at all 67 counties, no committee structures

Chairwoman Elizabeth Andersen:

- had conversation with former Office of General Counsel Karen Chastain and School Board Internal Auditor Lenia Blades
 - potential of looking at policy related to procurement
 - look at other districts to see if they have policies related to procurement
 - look at city ordinance

Mr. McDuffie explained that he had just confirmed with someone at the city that not all procurements go through a committee process. There is a threshold by which purchasing decisions are made by the purchasing director through purchasing officer within the city.

Superintendent Dr. Diana Greene provided the following information pertaining to construction and maintenance of schools:

- when entering contract management, will be using a Construction Manager
 - committee that evaluates potential contractors; this group is Sunshine
- confirmed the work and research that Mr. McDuffie has done
- mentioned that there is a specific attorney from OGC that deals with construction contracts
- will also have another specific attorney who deals with another type of contract; validating what is being done by the Purchasing Dept.
- things may need tweaking in the Purchasing Dept., but they have done a good job

Vice Chairman Darryl Willie (inaudible):

- how does the information relate to the Oversight Committee?

Dr. Greene:

- the Oversight Committee would be receiving some information before and some information after
- Mr. Culbert has a contract management technology piece to add when ready to move forward
- Mr. McDuffie has already pointed out some other changes, adding a Contract Administrator to the Office of Policy and Compliance
- Mr. McDuffie and Ms. Mairs will have continued discussion
- space for a committee maybe one to come together to look at a unique contract

Mr. McDuffie:

- having conversation with the city about a committee
- hypothetical example: the city uses whatever the State requires for solicitation; it is a dollar amount of \$50,000; anything above the \$50,000 goes to the Professional Services Committee
- one difference between the District and the City is that the District is subject to many more exemptions than the City
 - contracts can be exempted from the competitive solicitation process
- if non construction contracts over \$50,000 go to a committee, that would be a tremendous number of contracts

Chairwoman Andersen mentioned about this being an opportunity to see what the District's processes are, to be clear about standardized processes, and clean up procurement.

Vice Chair Willie inquired as to how rectification would take place if:

- things got backed up at a certain point
- not getting the bids
- all the work is going to a certain vendor

Office of General Counsel Rita Mairs:

- important that OGC not be the last pair of eyes regarding contracts
- conversation with Mr. McDuffie about the threshold and what would actually go before the committee
- having a dedicated OGC attorney to attend the meetings to make sure of fairness and rules being followed
- moving up the timing that the committee would start
 - to review the Request for Proposals (RFP)
 - committee to evaluate and a committee who awards
 - allows for any missteps or issues to be identified before awarded

Mr. Jones mentioned about a call he received from an attorney regarding the way the district advertises, specifically the relocation of the administrative building. It was advertised, but not on the website. He mentioned about having information on the district website on how to find different opportunities to participate and instruction is needed. The average citizen, contractor, or company who does not do business with the district on a regular basis is not familiar with the process. Need to ensure that there is minority participation in the projects would be helpful. A lot of the minority businesses probably may not be aware they must be pre-qualified before they can bid. Focusing on the construction, that is where purchase orders are different. Other businesses around the city have different processes because of using federal funds and they must follow different rules. Mr. Jones inquired about the difference between a Contract Manager and a Contract Administrator. Mr. McDuffie responded that it depends on the type of environment. In the Office of Policy and Compliance, help organize and manage before the contract process in the district; another pair of eyes; keeping track of the contracts, expiration dates, managing the flow of the process, being a conduit or listener for the District to ask questions regarding the contract process as well as the Office of General Counsel being a point of contact regarding the contracts also. The Contract Management System will assist the Contract Administrator when performing duties. Mr. Jones mentioned that he was glad that Dr. Greene was not interested in doing the RFP because that is how the district gets in trouble. To have a Contract Manager oversee things is good. He also stated that the lowest bidder is not the most responsible bidder.

Purchasing Director Terrence Wright explained the process regarding the administrative relocation consultant. He stated that all the openings and solicitations are on the website. If someone wants a copy of the information, they are directed to a third-party website and pay a five-dollar fee if they are not registered. This would enable a copy of the information to be downloaded. There are those who do not want to pay the fee, they contact the Purchasing Department, make it known that they do not want to pay the fee, and are then provided with a copy of the solicitation. Mr. Wright added that the administrative relocation consultant was due on 4/26/2021.

Ms. Pearson referred to Dr. Greene's comments regarding information being provided to the Oversight Committee:

- some things would happen between the meetings
- issues that are Sunshine, anyone can come and listen
- training with Oversight Committee regarding the process or send notification on referendum related Sunshine meetings that happen between their meetings so interested committee members could attend

Dr. Greene stated that the Oversight Committee was provided with information at their last meeting.

Dr. Coker suggested checking with users for feedback and improvement in processes. Have a survey of outside users who have been through the process or not (inaudible).

Mr. Jones spoke briefly about the Office of Program Policy Analysis & Government Accountability (OPPAGA) study, specifically the matter of the Purchasing Department being under Operations.

Chairwoman Andersen mentioned:

- audit plan for the remainder of the year
- ensuring a tight process in place regarding the sales tax referendum
- procurement and purchasing is cleaned up and improvement made in processes

2. GOVERNANCE

Vice Chair Willie had nothing for governance.

Dr. Coker:

- the redistricting committee had an expert on how redistricting is done (see attached to agenda)

Chairwoman Andersen:

- moving workshops back into Room 613

Ms. Pearson:

- Sandalwood High School celebrating 50th anniversary and a congratulatory note will be placed in the program from the Board
- emails received regarding the Bright Futures Senate Bill
- write a letter to the Governor requesting him to veto the legislation unless it has prescribed percentages in it
 - Mr. Jones doubts it would be vetoed, but thinks it would make a statement
 - Dr. Coker concurred about sending a letter to the governor
 - Chairwoman Andersen mentioned about the Board taking a stand on something that may not be impactful and as a Board, to make sure all the pieces of the puzzle were being considered.
 - Mr. Jones suggested using the letter for something that impacts the District.
 - Ms. Pearson mentioned all the things parents and their junior students have done in preparation for higher education and now looking at what was the commitment of the state no longer being the state's commitment
 - Chairwoman Andersen inquired if it should be a letter or a resolution to the governor regarding Bright Futures. Dr. Coker elected for a resolution.
 - Dr. Greene stated that a resolution is weightier and shows that the Board is taking a stand compared to a letter that just gets signed by the Chair. She suggested speaking with Ms. Kim Miller, Director of Government Relations, to confirm which way is better and get input. Ms. Pearson confirmed that she has already spoken with Ms.

- Miller, but not about a resolution.
- Mr. Jones suggested that Ms. Miller and Mr. Pierce could draft something to the Board to make sure there is a consensus and not submit something lacking unity among the board members.

Mr. Jones also suggested having a Special Board Meeting regarding the name change instead of addressing it at the Regular Board Meeting in May or June and provided an explanation for the suggestion. Chairwoman Andersen expressed her thoughts about changing the meeting and not wanting people to think they were being excluded.

Dr. Coker:

- have meetings two nights in June
- deal with the draft agenda on a Thursday
- keep the voting on the night of the Regular Board Meeting

Chairwoman Andersen mentioned about the policy of extending and changing meetings. Dr. Coker added about the details involved in the process moving meetings.

Dr. Greene mentioned that graduations were taking place in May.

Ms. Pearson suggested to keep the voting on the Regular Board Meeting and move the agenda to another time.

Ms. Mairs explained about the public comment process for Regular and Special Board Meetings.

Dr. Greene and Chairwoman Andersen mentioned a few things that could be done to shorten the agenda for the Regular Board Meeting.

Chairwoman Andersen reminded each Board Member about making an appointment to complete the mid-year evaluation for Lenia Blades, Internal Board Auditor.

Dr. Coker provided a reminder about the evaluation process and that Assistant Superintendent of Human Resources Vicki Schultz would be available to assist.

Adjournment

1. ADJOURNMENT

The meeting was adjourned at 10:24 a.m.

GC

Superintendent

Chairman

