



**Proposition O Citizens' Bond Oversight Committee
Wednesday, August 14, 2013**

TIME: 6:00 p.m. Meeting

PLACE:

District Office/Rooms A&B
1130 Fifth Avenue
Chula Vista, CA 91911

AGENDA

1. Meeting called to order by Nick Marinovich at 6:00p.m.

Roll Call:

Nick Marinovich (NM)	Present
David Butler (DB)	Present
Dr. John Grubb (Dr.G)	Present
Terrance McKearney (TM)	ABSENT
Kevin O'Neill (KO)	Present
Edgar Guerrero (EG)	Present
Robert Strahl (BS)	Present
Robert Carriedo (RC)	Present

2. Pledge of Allegiance

3. Approval of Meeting Minutes:

- a. **6-12-13** approved (NM) motioned to approve, 2nd (KO) unanimously with R. Strahl & R. Carriedo abstaining, with introduction of both new members.
- b. **7-10-13** approved (NM) motioned to approve, 2nd (KO) unanimously with R. Strahl & R. Carriedo abstaining, with introduction of both new members.
- c. Brief introduction by the two new members, Mr. Bob Strahl and Mr. Bob Carriedo.

4. Public Comment:

Ms. Cheers, made comment in reference to BOT backup and why is it not given out to the CBOC packet, she has questioned the Board and CBOC and nobody listened, has asked for this for years. Feels that the CBOC is here to oversee our tax dollars and in order to see what you need to know where money is going, how it is being paid to, and when it was approved. So far you are not seeing this. Feels it is extremely important information and would like to know why it's not included in CBOC meetings.

(Dr. G) redirected that question to Mr. Calhoun to answer this question. **(TC)** we do go through a very in-depth financial report. We try to let committee do committee work and the board do the boards work.

(Ms. Cheers) clarified that she is not asking for the whole board agenda, only asking to get monies spent out of Prop O, one sheet to 20 pieces of paper, feels this is information that CBOC needs to be looking at and will make it clearer a bit later. In summary, she requested that CBOC members receive a copy of all agenda items and backup that relate to Proposition O.

(Ms. Adato) mentioned she wanted to talk about Fire Alarms and bit on iPads. **(NM)** indicated iPads are not on agenda **(Ms. Adato)** issue is based on article in the UT, saying the iPads we purchased now with the common core curriculum are not going to work, and will have to buy additional items for 7th and 8th graders to work on iPads to get the testing done, like a keyboard, program so iPad can split screen. She has asked this for the last two years to the BOT this item when it was done, Prop O, Mello-Roos funds were used, this item was never thoroughly thought out. CV Elementary School District does not have these problems, because they listened and went with laptops, when we went out and spent millions of dollars on the whim of supt. to do iPads, which half of our curriculum cannot be accessed, getting this straight from teachers, not making this up, during finals system crashed, we don't have enough band width, so we're

using Prop O and Mello Roos money on iPads and will need to put more money into it since they won't work for Common Core which district is switching to as we speak.

5. Report from CBOC Chair:

(NM) Gave Chair Report and indicated the District has refused to give us the Grand Jury transcript. He has also asked for a formal letter from the district stating that Grand Jury Transcripts are not going to be funded by the District. Mentioned if the Best Practices Committee may have dealt with this issue. Mentioned that the Capital Appreciation bond legislation is moving on, with allowable bond maturities going to 30 years. Approved by governor to require when a performance audit is completed that it be given concurrently to CBOC at same time it goes to BOT and another 90 days for district to respond. Another on governor's desk, requires the state controller to develop specific performance auditing standards, so when we do performance audit for the school district, major vehicle we how to see how our program is doing, and it meets some kind of consistent criteria. Final item is that he attended over the phone the CaLBOC meeting, mentioned the cost on going up there in person and there is no substitute talking to colleagues in person. Thanked Mr. Butler for presenting the Bond Chair Report and making a stellar presentation, particularly important on why the efforts of Calboc are important to this Committee.

Public Comment: **(Ms. Cheers)** the one thing that works at Sweetwater is this committee, prior to this group, we were at the board meetings raising issues about everything having to do on Prop O! Agreed with Mr. Marinovich and appreciated what Mr. Butler said at the board meeting, and doesn't understand why this district doesn't celebrate this CBOC.

(Dr. G) Asked Mr. Calhoun, where the issue stands about issues going back to the board. **(TC)** not aware of anything. Had requested a letter back from the Supt. and the BOT about why the Grand Jury report wasn't going to be paid for us. Want to know what the reasoning was, and that was to be come forth at this meeting. **(KO)** this group asked for a formal reply from Dr. Brand and/or Secretary of the Board, it would be good to have a good collegic working relationship with BOT. **(Dr. G)** It's important that we let the public know, that, we requested items and at no response and fuels the fire, and CBOC is not going away, we have an obligation to protect the monies tax payers pay. **(RS)** feels that throughout the state BOC's are facing similar challenges, and feels that it's important that this community be represented by a member of this committee at these state wide meetings, in the long run it saves us money, we do have something to contribute at the state level. Wishes there was a different way to approach this, feels doing what we are doing has been ineffective doing the same thing and not getting what we want. Maybe community organizations contributing to a conference and travel plan for this committee or a way the BOT would see their way free to commit to an x amount of dollars so that we wouldn't have to go board each time there was some meeting we felt it was important for a member to attend. **(NM)** it was requested in our budget to the district and it was turned down, doing his best to be engaged with CaLBOC. **(Dr. G)** feels the District see the monies as their money and it's not it's the community's monies. We want to make sure we protect the community's interest. It's all about respect. **(KO)** We've tried two years to get a reasonable allowance from this board to have some legal advice, a CPA that could help us interpret these things, some travel and maybe a little bit of food, and someone to handle the website if we need to pull it from the district. Feels the district has no appreciation for what CBOC tries to do.

Public Comment: **(Ms. Adato)** mentioned that John Moot, attorney for the district went down to get the transcripts. He wasn't going to pay for them himself at \$7,200 of his own money, so district may have them already, she was present at that board meeting and saw the BOT approve \$68,000 on membership fees, to chamber of commerce's, board members who want to travel, they get it ratified, feels what was done with Mr. Marinovich should have not been done. Acknowledge and applaud Mr. Calhoun, for trying to give all the information requested of you, since you are in such a difficult situation, thanked him as a member of the public.

6. Bond Project Updates

a. Project Status Reports: went thru Prop O Update highlights, see handout for detailed information, also on website.

(Dr. G) concerned about the BVH lighting and why can't the lighting be in the design, so all schools are able to have a practice field with lights.

(KO) asked if Prop O monies are being used for the Charter School now housed at SOM, **(TC)** per state is allowed to be used for Charter Schools on district properties, district facilities it would have been updated whether outside or not. Refurbished, since 50% enrollment capacity they requested to be allowed to take some space on campus. Clarified that NO Prop O funds are going into Charter schools and NO project managers, staff monies from Prop O.

(RC) asked what the saving of having Solar. (TC) total about \$7.5 million dollars, peak load 90% during the day over the term 25 years term 1st phase, and 20 years for 2nd phase.

a.1 Status of Fire Alarms Projects (TC) handed out a list of 19 sites, by alpha, CVM, HH, MOH are the three project that have been awarded on this contract, chosen because scopes were such where we had projects either closed out or had a fully design in place, we knew where the connections, made sense to do it with timing of plans expiring, saving of \$200,000 in design fees, it enhances the already complete renovations at HH, CVM as well as the two new buildings going into MOH, funding for these projects will be taken from most likely contingencies (Program Contingency). (NM) asked for clarification on remaining Program Contingency monies from Prop O, and what total cost of non-funded Prop O fire alarms projects minus the three already done. (TC) about \$4 million dollars, and another million left in fire alarm project not awarded yet. (Dr. G) also questioned whether this was the analysis development from December 12, 2012, \$6.2 million of Prop O funds. (NM) basic question on fire alarms, the three particular ones from 7/6/13, when was the decision made and how. (TC) fire alarms are important, provide safe facilities for students, looked at projects that were being closed out and or didn't need as much money in them, being repaid by the bans \$2 million to get started, got that money back in June and QZAB. So before they expire funding now available and executed project that was already on books. (NM) concerned that \$1.5 million dollars fire alarm project is a significant amount for a project the CBOC should have been notified or aware of in advance. (KO) Continued discussion back and forth about fire alarms, iPads, and synthetic fields, also asked Mr. Calhoun, if there is a binder for each campus that says who the manufacture, monitor is, layout of security system, weather it has sprinklers, the annual exit sign inspections, sprinkler inspections 1 year and 5 year? (TC) health and safety manager has that.

(DB) what do the upgrades consist of? (TC) New (FCP) Fire alarm panel it's digital as opposed to analog, old systems are volt systems, led lighting, fail safe detectors, can communicate to the instruments the different smoke detectors. (DB) concerned that if designs were done in 2009 and we knew we needed upgrades then, why wasn't this included and logical to do it while other projects are being done like HH. Continued discussion and explanations from (TC).

In response to a question from (DB) on the status of the Fire Alarm System, TC indicated that they have a Fire Alarm System that works but do have failures from time to time. TC said that when there is failure work orders are called in and given top priority. TC stated that we are in Code Compliance but not upgraded. This would actually reduce the level of maintenance required by District staff.

(DB) asked whether the designs for the current system upgrades are still relevant since they are nearly four years old. (TC) said they are still relevant for the current effort. Finally (DB) asked why some of these Fire Alarm Upgrades were not done as the same time along with some other major projects like at Hilltop High Improvements if there were known problems. TC indicated that was a Program Management decision made a number of years ago prior to his involvement with the District and that generally you would want such projects to occur at the same time in order to minimize the number of disruptions at the school site.

(NM) recommended to the CBOC, the Superintendent, and BOT should be setting priorities for future projects.

Public Comment. (Ms. Cheers) Covered one of the items on handout she passed out, referring to fire alarms and mentioned construction read, fire alarms on various sites (SGI) gave \$262,040 and that the state gave district matching funds, why aren't they hearing about these funds. Now on Phase 2 Prop O committee at MOH and met with them once a week, Phase 1 (SGI) was invited twice and that was it. Going on with meetings, couple of relocatables where found the fire alarms had not been hooked up or had been disconnected, and then the whistle blower says that District was not using this money for fire alarms, gyms and everything else? Mr. Rubio did press release "everything is working", that meeting she asked Mr. Russ Decker, he confirmed everything is working. Then they are notified at MOH that a crew is going to start with fire alarm upgrades, as Soltec says, mentioned when this project started, DSA reminded them that the upgrades that have been on books, if this was going to be running alongside of each other, and SUHSD says no. The whistle blower and all of a sudden we are getting the upgrades, reason because of whistle blower and DSA plan were going to expire..... Mentioned she will be going to all the fire departments and will ask for all the documentation for every school. Very upset and would like everyone to just work together.

Public Comment. **(Ms. Adatto)** mentioned that drills have to be conducted at a Middle and High School twice a year, and based at what Mr. Cheers found out, that's not happening at Montgomery, and know that didn't happen when her kids were at Bonita. They don't go on fire drills, we don't know if equipment is working. Also pulled from BoardDocs, HH 2010, 2007, \$178,000 approved by our Board for fire alarm updates, why are we spending more money, what was done in 2007 & 2010? Otay Ranch, a brand new school 2005 \$36,000 fire alarm upgrades, CVH, \$52,000 in 2009, CPH Upgrades, on and on, back as far as 2005 and now on fire alarm upgrades. Why do we have to do an extension? Very upset.

Public Comment. **(Mike Specman)**

Lives up by HH, commented as follows, a contractor working with the City of Chula Vista, and a current sitting City Planning Commissioner for City of Chula Vista, and Chaired Growth Management Oversight Committee for two years and on it for five years when all these high school were being built. Doesn't know why we are looking at upgrading a fire systems, several the campuses have been upgraded at significant cost, as a contractor, out there in the field, absurd that this wasn't calculated into the cost for upgrading these campuses, seven, eight years ago he approved ORH, SYH and RDRM, those were brand new campuses. Why are those systems obsolete, has to ask current system that exist on these campuses is going to be different to the upgraded or improved system. Also has never looked at a project that for lighting that required a CEQA document, any developer or builder provides a lighting analysis for their project to the city for review and approval and that in turn comes to planning commission we have all of that broken down before they ever approve a project. Agree with Ms. Adatto, also glad his children are out of the school district.

(Dr.G) listening to everything, has come to realize, that this committee has not just involved with O Bond funds, but a sounding board for people of the community that have become so frustrated with the lack of understanding and empathy from the school board and administration. Feels that errors will be discovered, human and/or not.

(EG) Mentioned he has a son at one of the high schools. Would like to request to CBOC, has there been test, are we in compliance with the fire marshals? Talking about all these upgrades are they do to age or due dis-repair? Also, how will fire departments monitor these schools, different city CV, SY, IM, NC are they able to have continuity with these systems?

(BS) feels this brings out the best in community to try to make things better, doesn't feel that the level talent in this room would be here if this place was running smoothly. We need to look to the future and do the best we can for now, and keep on keep on, we've got to look to the future.

(TC) Confirmed that all our fire alarm systems are monitored by jurisdictionally by each fire agency they are in, there's a hot wire telephone line that is dedicated on that circuit right to the fire department. MVH to Imperial Beach, Eastlake High, they are compatible, upgrades are done from time to time for different reasons, many times you see portables being added, so those elements need to be upgraded, sometimes things break, detectors, things get dusty, vandalism, systems need to be refreshed. We just doubled the number of service technicians and now will be able to respond to systems repairs. A lot of systems have needed to be replaced over the years, digital technology has improved, all types of elements, heat detectors, smoke detectors, all the type of safety features for the HVAC system, etc., Fire Alarm system at a high school is approximately \$1 Million dollars. There will be no lack of compatibility.

(NM) made a motion at the next CBOC, proposed spending plan with the remaining Prop O projects. With that spending plan, to include list the below the line projects or non-funded items waiting Prop O expenditures, with future bond issues and everything else, how are we spending the money above and below line. 2nd by **(Dr.G)**, and added amend that it be identified in order of priority the most important in that process, **(DB)** added another amendment to include documents Ms. Cheers provided CBOC at this meeting, regarding from Prop O monies. **(DB)** 2nd unanimously passed.

(NM) made another motion, that chair to work with Tom Calhoun to get an improve way of reporting Project Status from current system, Mr. Calhoun and Chair to work together to develop an improved project priority reporting process. 2nd by **Dr. Grubb**, Passed unanimously.

(Dr.G) this ties in best practices, feels it is important and would like to have district develop a spread sheet – that would talk about the different areas just discussed, including but not limited to the issues in the areas we asked for reports back to CBOC. This would give committee an opportunity as well as district staff that those issues have been satisfied on your end and we get a spread sheet each month, and that at the end of the day there is accountability on both sides, that if we ask that we want a document identified and sent to us, you email to us, we take a look at it check recognized received it, check it off and it's a done deal relative to best

practices and now we have method of control. Would still like to have a letter from BOT or Dr. Brand or both, why don't we have the grand jury transcripts and why don't you want to spend the money. Public wants to know, go on the record why it didn't happen.

- b. Project Financial Summary: went thru handout, and also on website for further review. **(KO)**, asked that under MAAC project, foot note scares him, please close out, and put monies into fire alarms.

Public Comment. **(Ms. Cheers)** being on Phase 2, Prop O at MOH, Soltec the contractor is looking to now that a classroom building, a gym and lunch area. Ask where a certain pipe goes to, where are plans, in boxes in some room? All this work being done, five years from now, when you go to do something, are those plan there, is this how construction is normally done? **(TC)** mentioned there are As-Builts available at volt at "L" Street. When we asked Mr. Decker he said they were in a box somewhere! **(KO)** asked who is responsible for the As-Builts? **(TC)** the As-Builts are responsibility of architect and engineering team to document with contractor as the contractor is supposed to update the As-Builts with the contract engineer before each monthly progress payment is approved. **(KO)** feel that the 3rd party inspector should have some responsibility for that as well, when he looks at the conduit bundles in the trench that he also go in a look at the field set of plans that in fact have the notations and dimensions. The only way to get accurate As-Builts is if you make someone's responsibility and put a name and a target on it.

- c. Board Items Report: **(TC)** went over report, see handout for detailed information.

(KO) asked about what BVM Mod Project, questioned rationale. **(TC)** 25% of students come from the CFD's, also asked why Ninyo & Moore good firm, but being more exclusive when he see's geotechnical, work orders and contracts? **(TC)** they are on the list and they give us the best price of the three firms we send out proposals to. Master list and it's getting refreshed and going to the next board meeting. **(Dr.G)** asked if there was any type of political contribution that these people have made to people on the BOT. Would like to find that out. Wouldn't that be a conflict of interest if they were making large political contribution to **(TC)** Has no idea, understanding its first amendment right. Mentioned he nor his staff has made any selection nor will be. **(RC)** asked Mr. Calhoun who makes the determination of who goes on that list, **(TC)** a selection panel a group PM and contract manager, took RFQ's put out last month, reviewed, ranked and then selection made based younger firms and their scores. Last one done was five years ago, that why we are now refreshing it. **(RC)** questioned why only to three.

- d. Program Management Update- staffing costs **(TC)** went over the document handed out please see handout for detailed information. Went over what each Program Manager project handled by **Trent Carr**, worked on College of the Dessert, taking care of all the National City Projects, SUH, doing the track this summer, and also working National City Middle 2. **Larry Moen**, from University of Alaska, great planning skills on large projects, is an architect and working out at Bonita Vista and Eastlake Middle area. **Russ Decker**, Solar, ORH, OLH and MOH and has all the Cell Sites. **Karl Bradley**, home town guy, takes care of all the chula vista western, and has 17 solar sites. **Linda Clark**, has MOM, SOH and Mar Vista, all of the Imperial Beach and South San Diego as well and SY mentioned those are our talented crew.

d1. (TC) then went over the document handed out and posted on website on Planning and Construction Staff Analysis. In detail basically SGI running at 19.5 total FTE full time 20 people, 4.35 so total 24 fulltime total people. Now in house running at \$1.4 Million or 26% at full time equivalence 12.7 half the staff quarter the cost. Now running at 40% of what SGI was, saving is 60% to the district and getting we are getting all the work done. **(Dr.G)** proportioned to the amount of work that was being done by SGI and the amount of what being down now. **(TC)** if you saw the peak load at \$6.7 million dollars, they were running \$6.5 million dollar a month then and we are running that now. **(Dr.G)** wanted to know what percentage saved? **(TC)** In Prop O dollars 75% in fees associated with amount of volume now.

7. Initiation of Annual Report process: **(NM)** met with Mr. Butler and talked briefly and will be doing a draft with input from Tom's shop in terms of project status, and emphasis on positive things, particularly on staffing cost savings, a very good thing that has happened under Mr. Calhouns watch.
8. CBOC Sub-Committee Update
 - a. Annual Report (N. Marinovich, D. Butler, 2012-2013)
Nothing to report.
 - b. Best Practices (E. Guerrero, Dr. Grubb, T. McKearney)

Dr. G, committee will run everything under general CBOC, will then send to you a copy of what we would like report back, with plenty of advance notice, this will make sure we have accountability on us and make sure we address issues and don't forget them and back to you as well.

c. **Finance (D.Butler, T.McKearney)**

Nothing to report.

d. **Audit (N.Marinovich, D. Butler, T. McKearney)**

We do have a performance audit eventually coming up and will address it at next time. (TC) also mentioned the performance audit, would like someone from the CBOC be on the selection panel, put out thru the finance division. Other one would be for us is the Long Range Facilities Master Plan, would like to have someone sit on the selection panel there, we may or may not do interviews, depending on proposals. On the screening committee would like to have someone from the CBOC for selection panel. (NM) we can see who will sit on these at next meeting. (Dr. G) wanted to mention the fact that the process on filling the last two people on the CBOC committee was handled very well, and pass it on the BOT, they did a tremendous job, interviewed a lot of different people, very pleased with the individual that we now have, they did very well in the interview, and thanks to head of HR Sandra Huezo. (NM) informed that he signed a letter going out to the various schools about getting a parent representative. (TC) mentioned there would be a press release as notification to public.

e. **Asset Management (N. Marinovich, Dr. Grubb, K. O'Neill)**

None

f. **Sub-Committee formation/Membership**

(NM) requested that at next meeting the two new members, now have an idea of what the committee are about and understanding and re-doing our committee with to reflect the current membership.

9. Prop O Legal Costs, (TC) has gone down by \$75,000 and continue to drop.

10. Committee Member Reports

Individual members of the CBOC may make announcements or raise issues to be addressed in the future.

Meeting Schedule/Format

- a. Calendar Additional Site Tours: (NM) mentioned maybe getting another look see/meeting at a site.
- b. Retreat Scheduling, committee to look at this once committee has final member.

11. Staff Announcements – Next CBOC Meeting September 11, 2013, possibly at MOM Library?

12. Motion to Adjourned at 8:16 p.m.