



Proposition O Citizens' Bond Oversight Committee
Wednesday, November 13, 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: Present: Nick Marinovich (NM); David Butler (DB); Dr. John Grubb (Dr.G); Kevin O'Neill (KO); Ditas Yamane (DY); Robert Carriedo (RC); Terrance McKearney (TM); Edgar Guerrero (EG)
Absent: Robert Strahl (BS)

2. Pledge of Allegiance
3. Approval of Meeting Minutes: 9/11/13 & 10/9/13 Un-adopted minutes tabled to next meeting 11/13/13.
Chair **(NM)** Welcome newest member Mrs. Ditas Yamane, who made a brief comment on becoming member.
4. Public Comment:

(Ms. Cheers) Read a letter, regarding letter on alleged corruptions 4½ years ago in which (SWC BOT, SUHSD BOT, & SUHSD BOC) and ignored by these entities. Mentioned her reputation is one of fact checker. Several meetings we were told all was well with fire alarms, then Channel 10 story aired per Mr. Calhoun Channel 10 was accused of yellow journalism and Mr. Vasquez was accused of being ill-informed. Analogies of thousands of working parts, and statement if real issue there would be mandated fire watches, and district posted on the website a PR Narrative assuring the community that campus were safe. When she asked for clarification at MOH Mr. Calhoun stated there were seven fire watches. The CV Fire Marshall stated there were seven campus in Chula Vista, asked about the three in Chula Vista. Upset that the BOC did not get a call or email advising them of fire watches. Addressed Mr. McKearney if he was aware of 96 alarm issues at BVH where her grandson attends, and would navy consider that acceptable for a multi-million dollar ship. Feels Mr. Calhoun is representing himself in a manner that is in direct conflict with what is best for the allocation of Prop O funds. Mr. Calhoun, stated last month that a BOC Members could not be related to a district employee and that is an error. The community is looking to the BOC as voice and you are the representative of each every parent and property owner, ask that BOC be committed to ask the tough questions and alert enough to know deceit when you hear it. Encouraged BOC to listen to last month's meeting and pay attention to Mr. Calhoun's responses, many have listened and concerned and that double talk seem to go right over your heads. Went on to end with a quote from her father "A man is only as good as his word".

(TM) Responded to Ms. Cheers, not specifically aware about addressed at him, however Mr. Calhoun pointed out there were more individual elements that were bad. Common at walk around, depends on what those elements are, and it's a management issue to whether or not each alarm, each alarm piece is going to require specific action that particular element. Point Ms. Cheers made, what we have been told about each of those discrepancies. You will never be 100% those things working, based on his Navy experience, question is management, up thru school administration, teacher in class to the principal to the district facilities office, understand what impact of each of those failures, bad elements, or equipment, do they respond in a timely fashion, that the real issue and there will never be a 100% of those things working. Saw fire chief on television, and he said the same thing.

(Dr.G) Felt and asked if it was or when was appropriate to discuss the fire alarm issue.

Public Comment:

(Ms. Adato) commented on the fact that Ms. Cheers has indicated to BOC that BOC should be getting the board items before they are placed on agenda, the entire packet, told we couldn't get until 72 hours in advance, has found out that BOC is entitled to those documents the same day the BOT receives their packets, which is six days before the board meeting. As of BOC in her opinion should be getting those documents, the Friday that they get them, you should too, and that is under the Brown Act.

5. Report from CBOC Chair:

(NM) mentioned he testified before the BOT, made some comments about the fire alarms, they heard, information he received about being code compliant. Also mentioned he is attending the CaLBOC in Sacramento, and will be talking about legislation program, best practice and will report back, also mentioned about a special meeting Wednesday, and took a tour of MOH and CVH fire alarm system.

6. Brown Act (Time Certain 6:30pm) Ethics Training:

a. (KO) informed committee that there was invitation thru the City of Chula Vista, to attend a workshop on the e Brown Act and is open to the public, and feels it would be worthwhile for CBOC to go so feels it is a pretty good ~~time~~ primer on the Brown Act, and this way you know what is expected of them and what they can expect of others. Training is December 5th, 2013 and Ceci to forward information to CBOC. In the Police Department Conference Room. The Ethics Training is required every two years, which Ethics is the other shoe to this training along with a self-tutorial you can go online. The more we know the better we can be at our jobs here. PRIMER

b. Trustee Agenda Release & Agenda Documents: (NM) commented on BOT Agenda posted on Friday, 5pm, CBOC was supposed to receive packet that Friday. (Ms. Adato) ~~blurted out~~ that according to the Brown Act, that's the same day they are released, that agenda packet needs to be available to the public, Deanne got so many request that she was going to have to mail them out that they decided to post the agenda online. (Dr. G) point of order, every comment needs to go thru the Chair. (NM) if it's released to board 6 days before board meeting, why was it released earlier than normal. There was an agenda item for an emergency resolution for Fire Upgrades for SUH which was never covered during these presentations. INTERJECT

Public Comment:

(Ms. Adato) Why this happened, Donna Frye came to board meeting two months ago indicated, according thru the brown act, 6 days before the bot meeting, when they received board documents, those documents are available to the public if they are requested, she requested them in order to save money and time they were denied. She requested them again this month to be mailed and district came back and ask if she would like them posted, that was her initial requested. You are entitled to in the information; those documents are public 6 days before according to the brown act.

Public Comment:

(Ms. Cheers) commented on her major issue with item 6. b, looking thru the change order percentages that would be something everyone should take a look at. Mentioned Donna Frye offered to assist the board in the Brown Act issues. (DB) if it is a requirement of the Brown Act, asked if it would be posted when the board gets it. (TC) can't answer that, since he has nothing to do with posting the board agenda and can take it to the people who do and ask them that question. AND STATE WHAT

(KO) Motion that in accordance with brown act that the prop o bond oversight committee be given the board agenda items and back up at the same time BOT receive it, for convenience those items also be posted to CBOC website rather than have them mailed to us. 2nd by Dr. Grubb. Passed unanimously with 1- Absent (Bob Strahl).

7. Bond Project Updates

- a. Project Status Reports: (TC) went over the Fire Alarm Upgrades projects (see handouts for details). M1 from 11/18/13 Board Meeting.

(Dr.G) addressed Calhoun, how does process work in dealing protection of our children in the school from the fire point of view, we have earthquake, lock downs for problems with firearms, and fire alarms. Concerned how these issues got this way, visited both Fire Chiefs Mr. Gibson & Mr. Parra talked with him about process, their responsibilities is for the fire panel, making sure that it works, that's its operated and check every year, ingress into and out of school, adequate room in the halls ways, that the end of their responsibilities, they assume that the district is checking all the alarms within the school itself. (strobes, bells, whistles) Mr. Parra said it was a management issue, when there is a fire alarm, teacher make sure that those children get out appropriately, teacher stays outside with them on the field until the alarm is checked, fire department and then alarm are re-set, he asked whose supposed to check all of the systems inside when these go off, administration within each of the schools is supposed to have people looking at all of these areas, and written on a pad what's not working and sent to the district, and the district take care of those forthwith concerned that suddenly all these things going wrong, this was related to him by the chief, and feels that somebody is not doing their job. Hasn't talked to Mr. Gibson on this. Did comment that both fire chiefs told him that Calhoun and staff are doing an excellent job in coordinating their deficiencies they found and what they talk to staff about. Concerned those funds were supposed to be available to fix all these things from Prop O.

(TC) There are funds available from Prop O and they will be upgraded, on the operational side day in and day out. When there is a fire drill and any disc found on the panel or room that work order on fire alarm system is an Emergency Work Order. NFPA report was issued in August (National Fire Protection Association).....

(KO) Not happy about this, this was inherited to Mr. Calhoun, concerned that alarm systems being declared emergencies. Continued and argued the fact that code compliance, when many items are disingenuous, concerned about so many item dysfunctions. Life safety should come first. This is important, feels the district needs to change its procedures on this issue. Would like this group to set or policy request that all future expenditure should be important to where the funds go to be used for.

(TC) meet with both Fire Marshals, and Doug Perry, at South San Diego, provided them with all the inspection reports, and status report, 59% complete with all repairs. Mr. Calhoun envision doing in the future will turn over the inspection NFPA-72 to Risk Management, not appropriate to inspect ourselves, feels Mr. Torgerson can do those inspections, and Feb/Mar. time frame so we get reports my June/July prior to schools starting in July, and turn over to Fire Marshal.

(Dr.G) commented as a member of community and having children in the district, quoted last when he listened to (TC) confirmed that fire alarm systems are code compliant, feels that not was is the truth when he walks out this meeting, that may be code compliant but not all functioning.

(RC) addressed Mr. Calhoun, there were inspections done this year, where inspections done at all sites last year or previous year prior to you coming as it is done now. (TC) answered, there were done some at some schools, and it was very sporadic. (RC) as a board, thinks there should be these inspections done at all sites. (TC) It's the law and that's what he will do.

(TM) understands where Dr. Grubb is coming from, when he hears that 8% of components are not working, what 8%, bottom line is, are schools safe. This is a management issue, question is, are each school prepared to manage their safety system on site, are they doing drills, classroom understand where the safety is, this was something he asked Principal over at MOH tour. This is not strictly under the purview of this committee or Mr. Calhoun, do we have confidence in Mr. Calhoun and his office as its configured now, is watching this and due diligence on the material conditions of these systems, and do they have a plan in to immediate put fire watches in places needed. 1) We've asked several times if there are fire watches where they are needed, answer has been yes. 2) Is there a process here where we will routinely examine these things and the funds that CBOC is responsible for will get folded into? His feelings are, Mr. Calhoun is doing due diligence, and he knows if something broke he's going to fix it or whatever he needs to do get the kids safe. Teachers, School Administrators, people on site need to be reminded, because they don't sit and think of those things all day.

(NM) at the peak, what was the total fire watches and where were they. (TC) seven, within a week were down to three. When was it found out that a fire watch was needed? Dr. G told him that there were still three fire watches still on their way at National City. (TC) will call to confirm.

(NM) continues to be concerned about fire alarms being code compliant and not working, committee needs to be told what's going on.

(RC) asked about his fire alarm request, Ms. Martinez noted request information on Request Log, last two items. (TC) Reported 900 components have been repaired at 59% complete of the 1572 components with deficiencies, total completion by the end of December 2013.

(NM) Not happy, he commented when request was made, he thought that it would be a detailed list of every single fire alarm, not a summary. Ceci, commented request was not specified. (NM) we don't know which components are work and which ones aren't, need complete information as possible to do their job as a committee. (TC) will be sending out a more detailed list to committee the following morning.

(KO) The fire alarm sub-contractor that was on tour & stated a system can be code compliant and still not function. As member of code groups, he disagrees, at beginning of the code it says it has to be functioning.

(KO) Ask this group to consider the following: Sending a memorandum, strongly to strongly urge the district BOT that when they once again have money, if they get bond money (Prop O) that they direct that money to the health and safety items, before the other items and not just what the local advisory board thinks would be nice for that campus. (Dr. G) further discussion centered on proper spending of future Prop O funds.

A motion was made by Mr. O'Neill, that we advise the BOT that any prop O funds in the future, the first use of that fund should be for life safety, fire alarms system, or any other life safety issues that might exist, seconded by McKearney, for purpose of discussion:

(TM) suggested that scope of this communication be enlarged to include his concerns, that all staff on site are trained and to observe and make note and properly report conditions of safety, feels that even though district failed inspections, some of these items would have been obvious to people on site and they should have notified the district.

A motion to amend the memorandum discussed to that effect, seconded by R. Carriedo, discussion: (RC) was exactly is considered safety? Obvious is fire safety, earthquake, campus shooter. (TC) uneven pavement, goffer holes. Motion to modify to specifically say installed safety systems and unanimously passed. (NM) to draft the memorandum.

A motion to request copies of annual request at the end of the year for the fire alarms, seconded by (TM). (EG) since these reports are public records, asked as a courtesy can they be posted on the website. Continued discussion (TC) asked if chair would want to make this part of the annual report. (Installed Safety Devices).

Public Comment:

(Ms. Adato) Spoke on each school site has to do a safety school site plan and approved by the BOT, the fire alarm issue should be in there if any inaccuracies are recorded. 2) Requested NFPA testing result reports for the last five years, will share with committee if she gets them. Commented that she was very bothered on comments made, addressed Mr. McKearney and Mr. Calhoun, she does not have confidence. Mr. Calhoun indicated that the reporter failed to report that all facilities met the minimum fire code requirements for the fire alarm systems, that is not true! All schools every year are checked out by the Fire Marshall, Dr. Grubb indicated that he spoke to fire alarm, that is not true! According to the Chula Vista Fire Chief ordered an immediate upgrade on the entire system at Chula Vista Middle among others, Mr. Carriedo asked Calhoun if the District still stand by the statement that all sites are compliant, and the response from Mr. Calhoun was all sites are compliant if they weren't the Fire Marshall would shut us down. Addressed Dr. Grubb and felt if he listened to tape he would be disturbed by the way questioned where answered in some instances. There an emergency resolution for the two and has forwarded to committee. Commented that they need to get the entire truth, and public is not getting it. Every time they have come before CBOC and BOT and commented on situations, those situations become reality.

Public Comment:

(Ms. Cheers) Spoke to why Dr. Brand didn't give CBOC the courtesy of telling Mr. Calhoun on the emergency resolutions that will be voted on Monday, for Fire Alarm upgrades, 2) Fire Alarm upgrades was part of Prop BB, 3) when Fire Chief of Chula Vista was asked why Sweetwater had not reported the concerned on failed fire alarms, "you're going to have to ask them" 4) MOH Project P2, new building and new gym hard hat project is a new fire panel, district brought in fire alarm upgrade company and is refusing to allow the company to speak to Soltec, they are trying to dance around issues, since she is on the committee, and anything said she will go to the guys she's trusted in the past, so they are very concerned on that. Regarding Safety, Mentioned that at State of California sent out a letter to all schools district a couple of years ago, talking about buildings they believed were not Earthquake Safe, brought this up to BOT three years ago.

(TM) Commented, See most of the reports, CH 10 accomplished the goal of getting issue off the dock, some of the things they said were half way, that what reporter do, you have to be careful and he would say this in front of anybody. Does believe Tom is doing due diligence in getting the job done. Safety is an attitude and it's not just going to be run through the facilities people, they are the last people who really have input on any safety issue, they're the people who are going to fix it. The real issue about safety is down to the operating level.

b. Project Financials:

c. Board Items Report: (TC) (See detailed handout in packet)

d. Program Management Update: (TC) Commented that LRFMP will be on the agenda for next board meeting, on November 18th, Jacobs Project Management Co. \$399,166, M-1 has \$99,000 increase, they were the lowest firm. Also informed that there will be eight community meetings, four areas one up North in National City; one Central Chula Vista, one out to the East and one down South, break out by school twice once in early spring and late summer.

Public Comment:

(Ms. Cheers) The last BOC meeting it was announced by Mr. Calhoun there had not been a LRFMP since 2009, (TC) update since 2009. Also mentioned that part of Prop O was to do a Masters Facilities Plan, and asked if any of BOC had seen the Facilities Master Plans that have been done, 12/2011 \$300,000 was done to update the Facilities Master Plan. (NM) clarified that what this does the county encumbers the money for doing the study, funds there for two years but nothing done. (Cheers) commented that district has spent a lot of Prop O on MFP, \$305,000 in 2007, 2009 Fire Alarm/FMP, thinks that what was done then was never done. (KO) Generally there is a master plan every ten years, concerned that district has embarked a couple of million dollars into it without that master plan, before Mr. Calhoun's time, would hope that going on a spending plan like this, that plan needs to be in place. (TC) LRFMP done in 2005 defined Prop O, updates done as referred by Ms. Cheers in 2007 & 2009. Five years in the educational business the norm for doing a LRFMP things change due to new CFD's, Common Core Curriculum, Facilities Assessment, Ed. Spec's. and Technology, etc. (KO) In 2005 plan was a very different world, 2003-04 City of Chula was approving 3000 single family permits, over running this district or any ability to build campus in a timely manner and that could not be stopped.

8. Initiation of Annual Report process: Chair (NM) prepared and circulated to David, Kevin & Robert Carriedo a report and draft letter, RC editorial changes, TC and NM discussed taking out some of the specific reference to performance audit, and make it a link in the document. Requested to committee to review and finalize it, it reflects what the committee has done. Asking committee to authorize to finalize it and send it forward.

A motion was made by Mr. O'Neill, to approve working draft and authorize Chair final and send it, seconded by Mr. Carriedo, passed unanimously.

(NM) feel with nine members now, committee should go over upcoming months, who is on what committee, what committees we need to have, and what member would like to volunteer for. Meet with Mr. Strahl, two items of interest being 1) Professional Development budget for our CBOC for training, for Brown Act or just have budget for our work, including Professional Development, and he would volunteer for that. 2) Focus more deferred maintenance, make sure and highlight maintenance in our buildings, have a sub-committee or incorporate it in one of our sub-committees. Requested from members to go on website and look over the committees and talked to him on what each sub-committee does.

(DY) Feels if CBOC has a retreat, all members would have an overview of what its committee and sub-committee do, with Brown Act and Roberts Rule needs to be followed, her meeting tonight has not followed Roberts Rule at all. Committee really needs to focus on these things, so we can really be doing Best Practices. (KO) Pointed out that Best Practice would encompass training, and Asset Management is what (deferred maintenance) was named.

(TM) Commented coming into this committee, looking at some Best Practices (Tax Payer, CaLBOC Best Practices) we need to revisit and take a look at the grand jury investigation, incorporate those in Best Practices, go thru that and find out other things this district has had issues with. (NM) Feels these are great ideas, now with full members, let Tom, Himself and Ceci take a look at schedules and see when it would be best to do.

9. CBOC Sub-Committee Update

- a. **Annual Report (N. Marinovich, D. Butler, 2012-2013):**
- b. **Best Practices (E. Guerrero, Dr. Grubb, T. McKearney):** Nothing to report.
- c. **Finance (D. Butler, T. McKearney):** Nothing to report.
- d. **Audit (N. Marinovich, D. Butler, T. McKearney):** Nothing to report.
- e. **Asset Management (N. Marinovich, Dr. Grubb, K. O'Neill):**
- f. **Sub-Committee formation/Membership**

10. CBOC Information Log, (TC) went over log, see handout for detailed information, also on website. Further discussion took place earlier, under Fire Alarms.

11. Committee Member Reports: *Individual members of the CBOC may make announcements or raise issues to be addressed in the future.*

12. Meeting Schedule/Format

- a. Approve 2014 CBOC Meeting Schedule.

A motion was made by Mr. O'Neill, to adopt those as a place holder, and seconded by Mr. Carriedo, passed unanimously, with R. Strahl, absent.

- b. Calendar Additional Site Tours: continued interest in continuing these tours any time there is a chance.
- c. Retreat Scheduling: Nick, Tom and Ceci to meet on working out retreat dates that would work for everyone schedule.

13. Staff Announcements – Next CBOC Meeting January 8, 2014.

14. Motion to Adjourned at 8:35 p.m.