



**Proposition O Citizens' Bond Oversight Committee
Wednesday, September 23, 2015**

TIME: 5:30 p.m. Site Tour
6:00 p.m. Meeting

PLACE: Castle Park Middle – Rm 806
160 Quintard Street
Chula Vista, CA 91911

UN-ADOPTED MINUTES

1. Call meeting to Order @ 5:30p.m.
2. Tour
3. Reconvene: Roll Call & Pledge of Allegiance: R. Munoz, D. Butler, N. Marinovich, D. Gutowski, R. Carriedo,
Arrived a few minutes later: T. McKearney & K. O'Neill

Absent: D. Yamane & E. Guerrero

Staff Present: M. Aguirre, K. Bradley, C. Martinez, F. Martinez, L. Blake, S. Huevo

4. Public Comment: None
5. Approval of Meeting Minutes: Deferred until next meeting 10/21/15.
 1. 07/22/15 - Un-adopted
 2. 08/19/15 - Un-adopted
 3. 09/09/15 - Un adopted

6. Old Business
 - Breakdown of Inspection Costs
 - Legal Costs funded with Proposition O
 - Information Request Log
 -

(MA) went over handouts to above items, addressed breakdown of inspection costs, legal costs, creation of Information Log, in an effort for all to be on same page on request, if anything missing CBOC to please let us know, so that we are refreshing it. The hope is to bring clarity to the CBOC for the turnaround time and expectation.

(DG) expenditures by object code, breakdown of inspection cost, still open (listed complete)

(DB) addressed the warranty logs, has the policy changed?

(MA) will be presenting this item at the next meeting, there is a log, there is information in prolog that has been there.

(RC) commented on legal cost, log says it's under review, wants to make sure it's under review to determine the legal costs presented, and making sure there was no other categories coming from

other areas, making sure we are not taking it from a different type of funding. Amount presented believes to be very low, feels there would be other costs.

(NM) addressed PPA-1, thought this started after SGI? Clarification: they want to know what type of request for qualifications and evaluation criteria and evaluation committees existed for the review of the PPA response.

(L. Blake, Contracts Manager) addressed she did the PPA. The criteria is the same way that we always done RFP's and RFQ's for the district, the RFP is available/documented thru Demandstar with criteria in there at the time we had a consultant, which helped her with the process of putting this together.

Public Comment:

(C. Cheers) commented and asked, if there was there any legal group who looked over the contract? (L. Blake) answer YES. (C.C) Also wanted to know who that legal firm was.

(KO) addressed "Relevant" relevant is relevant, it's all relevant is CBOC asks for it, whoever asked for it, if it's a large amount of documents let that person know, they can go thru documents and tell us what is relevant to this area.

7. Bond Project Updates: (MA) address the a,b & c, (See Handouts)
 - a) Project Status Reports
 - b) Project Financial Summary
 - c) Program Management Update

8. Performance Audit: (MA) introduced Contract Manager and Auditor, they will both play a role on the process to procure the performance audit and they will briefly provide an overview. Addressed by LaNorris Blake and Frances Martinez.

(LB) commented the process is the same process that the district uses to procuring all services. Her task is, writing, issuing, tracking, receiving, helping evaluate the RFP's & RFQ's that come into the district (*Please see handouts for details: brief info. below*).

- Goal is to get clarification of scope of service
- Framework of RFP is already writing just need to add scope of work to it
- Code requires two legal ads in publication
- Time line for this; 1st ad Oct 9th, 2nd ad Oct 16, need to allow a period for consultant to ask questions, deadline for questions is Oct. 22nd at noon
- From that, turn around any addendums that may come from a result from consultant
- The RFP is due Nov 5th at 4:00pm to purchasing and the only dept. who receives it and stamps it in time and date
- Publications are in Stars News, Demand Start, and also email other firms who submitted in the past, and local firms on her list

(DG) addressed staff with Adhoc Meeting recommendation as follows:

- Asked that it go to the board no later than November 16th
- December 7th per L. Blake
- Would like evaluation cost pricing, cost pricing and services provided (*continued discussion, regarding hours, cost is 30%*)
 - Focus analysis – would like to see a six month post audit review of the districts progress in the implementing FY 2013-14 and FY 2014-15 Audit Recommendation, this can be a memorandum to the BOT or CBOC, basically the firm coming back, these are the recommendation and where the district is at in implementing them (this would be an additional item in the RFP).
 - Review thru effectiveness of the cost benefit analysis and value engineering used during project design in construction processes.

- Review of project expenditures to date and voter ____ ballot language. Evaluation of the districts process and procedures for maintenance of district assets funded with Prop O including the compliance with warranty conditions (specifically furniture, Fixtures and Equipment (FF&E).

(NM) asked if there was anything to preclude you from doing a qualification based selection only and then negotiate and determine the top rank firm that the price is fair and reasonable price and award the contract, and not have cost a factor.

(LB) commented you cannot do an RFP and exclude cost).

(KB) informed CBOC that cost has to be a criteria, we are also the custodian of the taxpayers money and we need to confirm that the selected vendor they are within in a reasonable semblance of market standard and price, they don't need to have the lowest hourly rate but should be within a ballpark (*continued discussion on selection process, cost etc.*). CBOC also questioned going back in years for audits, discussion.

(F. Martinez) had some questions and asked CBOC for clarification on the cost benefit analysis, what are you asking that the district add to the RFP?

- (KO, DB) CBOC want is the district review of cost benefit analysis and is it reasonable?
- (TM) what's the process we will be using now?

Public Comment:

(C. Cheers) commented that the community asked as soon as we received Moss Adams, that conversations begin.

- would like to see the actual project management looked at, with regards to data, was there any project management or just ratified and change ordered?
- we the community does not understand why Moss Adams, the Board, and the BOC just have Moss Adams pick up where they left off?
- Moss Adams clearly stated information then requested was not received "we've always done it this way"? Didn't this end up with the problems we had?
- Community does not want to see the same old names, and community is concerned due to lack of information.
- Seal bids, in the grand jury, there was testimony that bids were opened.

(RM) commented new to committee, read thru the 9 years of performance audit, and what a difference in last year's audit. Committee just looking to audit critically looked thru all the things that have that have gone thru, it is to the districts benefit in the long run and to the BOT that the audit be as transparent and as critical as necessary.

(KO) agreed with Mr. Munoz and liked the 3 year auditor review.

(L.Blake) addressed that for this year it could not be done, but for the following year the language could have that included if the district is interested in continuing with them we will. She has been directed to go out with a brand new RFP.

(KO) addressed Mr. Aguirre to bring this issue up to the BOT. Would strongly urge that he discuss with the Superintendent/BOT.

(TM) mentioned CBOC was happy with report last year as oppose to previous years, what was in the process that gave us a better product and how do we ensure that its included in this years' process, what were the elements used.

(MA) Mr. Aguirre will he will do diligence, will check in with legal counsel on statute if applicable or not, being mindful, the dept. being audited does report to him, and cannot make that decision on his own, will check with people, CFO.

9. District Architect job description: Addressed by S. Huezco, HR Director

(SH) addressed the interest Chair has in having the CBOC give input in the District Architect job description (*handout given*). Tonight will not be the only time she will take input and/or feedback. The BOT did approve this item back in August 2015, the only we are precluded in changing is the job title and salary with board approval

(RM) addressed the big general picture, concerned how district spends funds for the Bond Oversight, and then a job announcement comes up, and this person will be spending Bond monies and CBOC was not even consulted.

- What are we is this happening
- CBOC doesn't feel a need for this position
- If there is a need for it, why weren't they consulted (CBOC)
- A district Architect position in the Facilities and Planning group is too restricted and narrow a description.

Feels the position should be opened to Licensed Civil Engineer; Construction Manager in addition to Architect, both professions work together and are licensed by the State of California and all have the general and core knowledge.

(SH) addressed process; seeking out the best candidate, identified position and how it came to be. How do we put this announcement out there, broadly enough to attract the candidates.

(RC) mentioned that the committee made an assumption this position created is going to be using Prop O and overseeing the use of prop o monies, concerned the decision was made to bread this position without talking to the committee that oversees the monies that are potentially going to be used.

(MA) a portion of the work would be bond, and Mello-Roos, state funding next year, and other projects time to time cause for expenditure for outside project for smaller projects. This idea did not come from himself along, conversations regarding this with other interim Superintendent, Superintendent, Staff.

(KO) commented if position was going to be hourly; full benefits; pension, etc.? Also addressed the fact that skill set is a very diverse and district would not find this in any three people that would be competent in those three things. Civil Engineer would know more, environmental, up above and underground, district would get more if they got a Civil Engineer than an Architect. You will also have to account for the time that you're going to draw from Prop O.

(DG) commented to include more specific information, ADA, universal design, transition planning, things are in generalities, is district going with lead; or someone who has more energy conservation, lets' build buildings that are more efficient; put that in job description; nothing on Ed. Code Title IX, someone with DSA experience, no mention in public work experience.

(NM Chair) addressed his concerns, this is an opportunity to have the best and the brightest, there is a need to review the day to day functions, of managing a mini department, and fill that position with the resources that will accomplish this. Also feels that the title does not fit the job description, and hopes there's something that can be done to fix or change that.

(SH) there is always an opportunity after given the feedback, we can develop an actual description that would be more fitting for what the needs are. Even though it's been board approved we don't have to fill it, and we can go back and have a conversation with feedback and craft something more specific to the identified need. Salary range is \$134,843 (see handout).

(KO) doesn't feel the need for this position, commented why not get a well seasoned project manager who will be use to all this stuff and staff also in construction site. Maybe re-negotiate with Mr. Woods and have him stamp and sign these, since he is a licensed architect.

(SH) there will be more conversation with more detail with Mr. Aguirre, and will notify thru the Chair on any communication or decisions, there will be opportunity to invite as we get direction and moving forward with the actual advertisement and selection process and that you are informed on what we are going to follow, and extend an invitation to be part of the selection process.

(MA) thanked the CBOC, this process has brought somethings to his attention, and has been helpful for him.

(RM) compare director of planning vs this position except for the title.

10. Board Items Report
11. Bylaws Update
12. Report from CBOC Chair/Position Paper on Bond Program Process Improvement
13. Committee Member Reports: Individual members of the CBOC may make announcements or raise issues to be addressed in the future.
14. Meeting Schedule/Format
 - a) Calendar Joint Meeting with Board of Trustees
 - b) Calendar site location for future regular CBOC Meetings
 - c) Calendar Additional Site Tours, chair would like SUHI.
 - d) Future Training Workshop
 - e) Next CBOC Meetings: November 18, 2015 – Eastlake High School
15. Staff Announcements
16. Adjourn 8:38 p.m.