



Proposition O Citizens' Bond Oversight Committee June 17, 2015

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

PLACE: *Southwest Middle School – Room 1301*
2710 Iris Avenue
San Diego, CA, 92154

ADOPTED MINUTES

1. **Call to Order:** (NM) Chair-Marinovich, called meeting to order, will go on tour of site, with no quorum.

2. **Tour: Reconvene: @ 6:22 pm**

3. **Role Call & Pledge of Allegiance: 6:22p.m.**

Present: E. Guerrero, T. McKearney, K. O'Neill, D. Yamane, D. Gutowski, N. Marinovich, D. Butler, R. Carriedo, & R. Munoz

Special Attendance: Superintendent Elect, Karen Janney

District Staff Present: Moisés Aguirre, Karl Bradley & Ceci Martinez

4. **Public Comment:** A number of parents from Mar Vista High, Bonita Vista High, Bonita Vista Middle, Montgomery High School were in attendance for this meeting and voiced their concerns. (Jose Soto, MVH, Diana Godfrey & Josh Godfrey, BVH, Tracy Telamantes, BVM & BVH, Amy Mudd, BVH, Matty Adato, Kathleen Cheers, parents)

Addressed the following concerns:

- **J. Soto:** the differences in schools is obvious, MVH needs a better plan for modernization, will be attending all upcoming CBOC and Board Meeting to be heard
- **D. Godfrey:** schools are in dire need of attention especially the MVH, MV Academy, BVH, BVM, HM, HH, GJ, there are approvals for the Track & Field projects at BVH & HH, plans created, paid for, how long are they good for and on financial report and percentages of funding, clarification of how projects are funded. BVH parents ask that site be revisited by CBOC
- **J. Godfrey:** Student spoke (Josh Godfrey) BVH has the high test scores and facilities are terrible, conditions, broken desks, rats and cockroaches everywhere, feel it's unfair that this middle schools not even the school you go to before going to college would get better facilities than a school that is going to help you get to college, but we still thrive even though we are handicapped.
- **T. Telamentes:** students are phenomenal, despite horrific conditions, our school is falling apart, bathrooms don't work, and cracks in desk, some kids stand during class time, no place to sit. Her daughter doesn't use the bathroom all day long because the facilities are so despicable. Begging parents just want the district to help their schools, their students deserve what these kids at SOM, they need the same thing as kids at this school have
- **A. Mudd:** theatre too small 168 capacity and only 48 more parents could be allowed if there was a show. Parents rented Lincoln Theatre 800 seat, state of the art everything, drama room, a dance room – has a band room, choir room and everything necessary for the students there to have all of the arts education that they need. This was built because the district saw the value in having available for other schools in the district and leases it out to other organizations, which provides revenue from that.
- **M. Adato:** addressed and agreed with parents on BVH issues, asked if the CBOC had ever received a breakdown on what exactly is construction, what exactly are the consultant that are being paid, what exactly are the architect paid for, what exactly are the materials cost, a spreadsheet of different areas, the district does patchwork, every school in this district is just as important, shame on us for letting kids come to school in a school that has rats, cockroaches', children should not have to learn in that environment, our sites are dirty. No reason for sites to be dirty, so hire more custodians, or we need to hold our custodians or our head of maintenance, our kids should not be placed in those area.

- **K. Cheers:** addressed the bond passed BB \$186 million dollars, Prop O \$644 million dollars, there is no reason why sites should be in the awful conditions they are in with all the funds we are supposedly have. District does not include parents when planning projects. LRFMP, Classrooms, Desks, Restrooms.....
Mentioned the only person in her opinion, in constructions department that she has any faith in, dealt with him, we are in the education business not construction business, we are getting it wrong.
Tired of saying the same thing for five years and nothing getting done.

(NM) addressed and thanked Ms. Amy Mudd and Juanita McCoy who encouraged us to attend BVH and we had a tour of a school that needed attention.

(Student: Josh Godfrey): the student don't really care house the classroom, or if it has a smart board or not, they care about the desk they can write on and the teacher that is teaching.

5. **Approval of Meeting Minutes: (NM) Moved for Approval of March and April 2015 minutes, 2nd by R.**

Carriedo, passed unanimously

1. 3/11/15 - Unadopted - ADOPTED
2. 4/22/15 - Unadopted - ADOPTED
3. 5/05/15 - Not Complete
4. 5/20/15 - Not Complete

6. **Performance Audit Implementation Plan (NM)** mentioned, contact every other week with Moises and Paul, and each week update on what's been done since the performance audit.

(MA) - developing a draft implementation plan, currently collecting data from other district, examples of how they collect time and labor.

- Staff to work with CBOC sub-committee to modify reports, approving sub-committee members, and producing updated info so CBOC can have a conversation with staff; this is a first draft at responding to audit issues that were identified.

(NM) addressed large districts, Grossmont and how overhead, projects etc. are treated as far as time keeping.

(KO) added that City of Chula Vista has very large deposit account for the development in eastside, they now give breakdown on increment in hours, staff member drawing from that account, and the amount, there's a program for it, and it's simple. It is ultimately all about accountability and ultimately responsibility.

(DG) suggested taking a look at vast numbers of them City of SD has soft cost @ 60%, SD Community College 25%. (Continued discussion)

Public Comment: K. Cheers, addressed the Moss Adams Presentation, said this needed to be done yesterday.

(RC) commented on emails from staff, on whether or not there was any violation of the law with not having the accounting, does the law require some type of accounting. (Continued discussion) Added that Auditors mentioned that they do auditors all over the state and to their knowledge everyone has some sort of account different to what the district is doing.

(NM) commented the legal issue is the Constitutional Initiative Prop 39 that made them the Bond Oversight says you cannot use bond funds on Operating Costs. If a Project Manager is spending money doing work not capital project related, but charging money to the program, than that would be in violation of the constitution.

(RM) agreed with (RC), but Mr. Woods mentioned there are actions are being taken by the district to reconcile that, accounting moving forward on documenting the recommendations by the audit committee on the time.

Public Comment: A. Mudd, addressed implementation date was May, which has past, and asks when we will actually have a time tracking system.

7. **Proposition O Priority List: (MA)** addressed the initial conversation with this board about the priorities which were previously adopted by prior board. New board wants to revisit and review the priority list. Next step is to convene at Sub-Committee of Facilities and focus, boundaries, enrollment in schools across the district. Next meeting will be sometime next month and conversation will be along the line of here is the priority list, and then offering information as well as giving public to give input into this process (*see handout for details*).

(KO) addressed that it should be priority, should be health, safety and habitability (Continued discussion).

(RC) addressed the priority list and that the list needs to have a dramatic change.

(EG) agreed 100% with (RC) we should take the imitative to fix this list.

(TM) understands BOT's desire to review list. Mentioned the LRFMP started a process and would like to know where are we at, if process to date is not good, ultimate goal is developing the LRFMP which will help update this priority list. Continued discussion on same issue from RM, RM, KO, DY & DG (see handout for details).

Public Comment: M. Adato, addressed list and date of original priority list. K. Cheers, added the wording was changed and she now feels that maybe this was this a plan to divert Prop O monies, BB into L Street (west side).

(DB) mentioned that this is a historical document and will be trashed and a new one done.

K. Bradley addressed some of the information on bond sales and BOT, they can make changes to anything as they see fit.

A. Mudd, commented that her children are there now, the district needs to figure out how to make the environment they are living in NOW better, while moving forward and addressed red line building, and now revisiting what priorities. Somehow we have to figure out how to make clean, how to make it safe. If she was a teacher and worked in one of those classrooms she would sue (continued discussion).

(NM) in conclusion, what he is hearing we are getting impatient where the LRFMP is going, we want a clearer idea of what the district wants regarding the priority process with future process and we want it now not later. A few meetings ago Robert Carriedo ask a simple questions, where did we spend BB monies, and on what projects did it go for, and where we spent the O money this far. Need the data, Prop O and BB, to move forward.

Nick Marinovich, Chair request from the district as follows:

- the district to provide to the BOC a preliminary criteria project priority list
- a schedule developed for the Master Plan Implementation borrowing for the next phase for Prop O
- give us actual data, on where we spent by project Prop O and BB Funds.
- have a plan that correlates how we are going to account for the hours

Public Comment: D. Godfrey, wanted to inform the CBOC that staff members had advised her BVH, Room 710 something died, and they are using fans, very bad. Ask that someone take a look.

8. Board Items Report:

(MA) addressed the board items reports on board items from May 26, and June 8th, and preliminary items for board meeting on June 22nd (See handout for details).

(NM) addressed the project by Willock, NCM having side walk installed and has to be torn up and re-done, doesn't the inspectors check these items so that doesn't happen.

(KB) that particular issue, they were task by matching texture and finish on the existing on concrete side witch warranted a finish aggregate (color and texture difference).

Public Comment: M. Addato & K. Cheers, addressed change order #7 about MCH – P2 modernization hygiene room.

(KB) concurred with concerns, mistakes are made and construction documents are extremely complex, there is a reasonable architectural error. We do anticipate a reasonable amount of architectural error 2% very typical.

9. Report from CBOC & Report on CaLBOC Annual Meeting: (NM) Chair, addressed on board meeting, in terms of BOC was uneventful, except for the discussion by Moisés went thru regarding bond priority list. The board is clearly is uncomfortable with process to date on how project spending has been done. Also commented that the back up on agenda is getting better. Also mentioned that Trustee Hall requested a report back or at some future time would like to look at them sometime in the future PLA (Project Labor Agreement).

CaLBOC meeting in May, Dan Mullinex, certified fraud examiner, it was a widely discussed issue at the meeting. Will share elements of his power point, main point, in terms of fraud, people just asking common sense questions, which a lot of the fraud which has been discover.

On June 2nd, County Tax Payer Association released a transparency score card report and 3rd time in a row SUHSD and San Marcos Unified came out topped ranked, along with Grossmont, Culyamaca College and San Diego Community College. Graded us down due to no phone numbers and emails of the bond oversight members.

10. CBOC Member Contact Information: (NM)

(TM) they were looking for contact information, maybe consider having a SUHSD email.

(KO) feels the important, but only if committee has a functionary and not an arm of the district. He's okay with his email and phone number. The district can put this together and let us know what we have. Suggest, name, what member we are, and an email address, so that we can reply directly.

(RC) he doesn't care, his email can be given and phone number also. Anyone interested in our committee can contact you as the chair. But there might be a variety of opinions disbursed.

(NM) feels that they should contact the chair.

(DB) see a potential issue with this in contacting the chair, chair voices an opinion and they think it is the committee opinion, no matter how much you tell them it his personal opinion, it is not committee's opinion until the chair gets consensus from the committee.

(NM) the goal is for committee is to be more accessible. We should have email created and see how it works.

(KO) first initial, dot last name, @sweetwaterCBOC.com, etc. (continued discussion) Mr. O'Neill would not like to participate if email has anything to do with SUHSD, because he is not an employee of the district, nor a partner of the district.

(DG) would like to have this forwarded to our primary email. This would have to be done by member.

(NM) a decision by the 4th district court of appeals, that found that the Lease Lease Back approach to doing a project was illegal, may have some implications' with the district if they move forward.

11. **Bond Project Updates:**

a) **Project Status Reports:**

(MA) went thru all items (see handout for details)

(KO, KB, RM) addressed surety issues.

b) **Project Financial Summary:**

(MA) went thru summary (see handout for details)

c) **Program Management Update:**

12. **CBOC Sub-Committee Updates & Formation of New Subcommittees (written report to be provided:**

(NM) Deferred item

13. **CBOC Information Request Log:** Done, 3/11 is done, more items in process.

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

(NM) would like a copy of the cost benefit analysis on the 700 building of this site; Ms. Cheers also requested information on the warranties and roof. For next meeting would like to see a list of the actual warranty and district record that show compliance with the terms and conditions of the warranty for the following building systems within the last three years: Roofs, Fire Alarms and Security.

(MA) commented that there is some litigation ongoing on this issue, and would need to check with counsel to see what is discloseable and what is not discloseable.

(KO) addressed that the warranties are always going to be discloseable, that is a public document. Basic best practice is that there is a folder for each site, there sub-folders that cover roof warranties which building what roof, how long do you have etc. What are the requirements, and should be inspected every three years.

(RC) addressed Mr. Aguirre, we need to have all this information disclosed.

Public Comment: K. Cheers, addressed page 19 & 20 her concern, wanted to know where SUH monies is on these pages, when she looks at a document and district is telling her this is where they spent my money, she wants to see all of her money. Where is the money, not on those pages, that first phase is closed-out. This is being presented as accurate data and it is not.

15. **Meeting Schedule/ Format:**

a) **Calendar Additional Site Tours**

b) **Future Training Workshop**

c) **Next CBOC Meeting July 22, 2015**

(NM) recommend going back to Bonita Vista High and see how it's going. And the following month of August 19th, would be at Mar Vista High. Commented the rest would be done at next meeting.

(RC) thanked the public from MVH, BVH parent who are always involved.

(RM) thanked Ceci for setting up a couple of tour/meeting as requested. Still a couple more to do set up.

(NM) thanked the Superintendent Elect for sitting through the meeting.

16. **Staff Announcements:**

17. **Meeting adjourned at 8:35p.m. 2nd by everyone.**