# CHULA VISTA ELEMENTARY SCHOOL DISTRICT

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# MINUTES

## CHULA VISTA ELEMENTARY SCHOOL DISTRICT
## INDEPENDENT CITIZENS OVERSIGHT COMMITTEE
## (MEASURE VV and MEASURE M)

**March 1, 2023 – 6 P.M.**

UNADOPTED

1. **Called to Order at 6:04 pm by Martha Juarez, CVESD ICOC Chair.**

2. **Welcome and Introductions**

   Ms. Juarez opened the meeting and welcomed everyone. Ms. Juarez invited everyone to introduce themselves.

| MEMBERS PRESENT | MEMBERS ABSENT |
|---|---|
| Diane Deugan | Jason Hurtado-Prater |
| Martha Juarez | Benjamin Lien |
| Nancy Kerwin | |
| Gloria McKearney | |
| Heather Rubio | |
| Minnie Tandy | |

**OTHERS PRESENT**

Oscar Esquivel, Deputy Superintendent
Jovanim Martinez, CVESD Director Maintenance and Operations
Joseph Dombrowski, CVESD Manager, Grounds and Maintenance
Shawn Gabriel, CVESD Manager, Facilities Safety and Security
Esmeralda Ayon, CVESD Planning Manager
Ann-Marie Pering, CVESD Purchasing Manager
Bernadette Faustino, CVESD Accounting Manager
Lisa Brannen, Business Services and Support Specialist
Shaun O'Neal, Balfour Beatty Construction
Nancy Rorabaugh, Engie

## 3. Approve Minutes of the December 7, 2022, Meeting of the CVESD ICOC

MSCU McKearney/Deugan to approve the December 7, 2022, CVESD ICOC Meeting Minutes as presented.

## 4. Report: Summary of District General Obligation Bond Projects

Mr. Esquivel gave an overview of the 2018 Measure VV and 2020 Measure M general obligation bond measures.

Ms. Faustino explained that the priorities and projects have not changed since the December 2022 meeting. Expenses have increased since December for the Maxwell Transportation Center and Network Infrastructure projects.

Mr. Martinez shared that the Maxwell Transportation Project is progressing. Shawn O'Neal of Balfour Beatty shared that the District has gone out to bid and bid opening will be on March 30, 2023. The estimated completion of the Maxwell Transportation Projects is projected for July 1, 2024.

Ms. Juarez asked what caused the delays to the Maxwell Transportation project. Mr. Dombrowksi responded that for the most part the delay was caused by the City. Mr. O'Neal stated they were able to work with the City to help them understand that the District is not a general contractor.

Ms. Juarez asked for clarification that delays were not caused by design flaws or required design changes. Mr. Dombrowski replied that with the exception of some landscape changes, no design changes were requested. Discussion ensued about the process of getting the various approvals required for the project.

Ms. Faustino shared that Phases 1-4 of the HVAC replacement project are complete. District HVAC project phases 5 and 6 are still pending. Not much has changed since December. Shaun Gabriels shared that work at Discovery and Lauderbach will begin over Spring Break. Discovery and Lauderbach were the last two of the ten sites planned for replacements of relocatable HVAC units.

Ms. Faustino reviewed actual versus estimated costs for the Solar Project. Nancy Rorabaugh shared that the solar grid at the ESSC is not yet operational. Work will be complete over Spring Break. She is hopeful SDG&E will approve the micro-grid for operation soon thereafter. Ms. Rorabaugh mentioned that there will be additional costs due to code changes since the beginning of the project. Additional costs are strictly to bring the project sites up to code. Ms. Juarez asked how close Engie is to having the project be completely finished. Ms. Rorabaugh is hopeful completion will happen in April, but it is entirely up to SDG&E. Mr. Gabriel mentioned that 10 sites have been signed off on by DSA. 37 other sites are pending due to pending facility work that needs to be done. Mr. Gabriel stated that more work was done over the four-day holiday weekend. Ms. Juarez asked if we would still be coming in under budget with the additional required work. Change orders may result in less savings.

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Ms. Rorabaugh pointed out that the savings in electricity will amount to $70 million over 25 years after the project is paid for.

Ms. Juarez asked if there were any other comments or questions. There were none.

**5. Report/Possible Approval: Measure VV and Measure M Financial and Performance Audit as of June 30, 2022**

Mr. Esquivel introduced Aubrey Mann from Wilkinson Hadley King, District Auditors. Ms. Mann reported that the general obligation bond audits were completed on January 26, 2023. An unmodified opinion was issued for the Measure VV audit. 90% of expenditures were sampled. No material weaknesses or deficiencies were identified in the Measure VV program. There were no findings of non-compliance with the Proposition 39 requirements. There were no audit findings for Measure VV.

Ms. Rubio questioned what "other reimbursable" are in the audit. Mr. Esquivel responded that other reimbursables would be overhead items on the Balfour Beatty contract that would be reimbursable.

Ms. Mann proceeded to review the results of the Measure M Audit. An unmodified opinion was issued for the Measure M audit. 90% of expenditures were sampled. No material weaknesses or deficiencies were identified in the Measure M program. There were no findings of non-compliance with the Proposition 39 requirements. There were no audit findings for Measure M.

Ms. Juarez asked if there were any questions about the audits. There were no questions. Ms. Juarez asked for a motion to approve the Measure VV and Measure M Audits. MSCU Kerwin/McKearney to approve Measure VV and Measure M Audits as presented with minor corrections to the titles of the CVESD ICOC Members on page one of both audits.

**6. Discussion: 2022-23 CVESD ICOC Annual Report to the Board of Education**

Mr. Esquivel explained the process for the Annual Report. Members have been provided with a copy of the June 2022 Annual Report. Ms. Rubio requests that the District put together the draft of the 2023 Annual Report. Mr. Esquivel replied that the draft report would be presented at the May CVESD ICOC meeting for member input and comment. At the May meeting, Mr. Esquivel will request ICOC Members to volunteer to present the report. Ms. Juarez asked for updated project photos to be included in the report.

**7. Update on Auditor Selection Process**

Ms. Faustino reported that she met with Ms. McKearney last week about the auditor selection process. The District sent a Request for Proposals to five auditing firms in January 2023 and received two proposals, one from Nigro and Nigro and the other for WHK. The District compared the two proposals and will be taking a request to the Board in March to approve WHK as the District auditors.

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Ms. Juarez asked how long the District had been using WHK. Mr. Esquivel replied that the District has been using WHK since 2000. Ms. Rubio added that although the District has been using WHK since 2000, WHK is required to rotate partners on the District contract every 6 years so that the District is not using the same partner for more than a limited period of time.

Mr. Esquivel stated that based on the District's review, WHK is the best candidate. Ms. Rubio added that the Board can request that additional scope be added to the District audit, but noted it would be at an added cost.

## 8. Remaining Meeting Dates for 2022-23

Since the December meeting, Ms. Brannen conducted a survey of the members regarding interest in participating in site visits. Proposed dates were April 7 and April 21. Ms. Tandy, Ms. Duegan, Ms. McKearney, and Ms. Kerwin will attend a site visit on April 21st. Ms. Juarez and Ms. Rubio will make arrangements for a separate mini-tour on a different day. No Special Meeting will be needed.

Future meeting date are:

- *May 10, 2023, 6:00 p.m.*

## 9. Other Items / Open Discussion

Mr. Esquivel discussed member terms and the need to seek new members. Ms. Juarez, Mr. Lien, and Mr. Hurtado Prater will be terming out in 2023. Ms. Deugan, Ms. Kerwin, Ms. McKearney, Ms. Rubio, and Ms. Tandy would like to return to serve another two-year term on the CVESD ICOC. Ms. Brannen explained that vacancies will be advertised and applications accepted much later in the Spring or early summer.

Ms. Juarez mentioned that CVESD ICOC Members are no longer required to complete and submit the Form 700.

Ms. Juarez thanked the District for the quality work it does. Ms. Juarez asked if there were any other items members would like to discuss. There were none.

## 10. Adjournment

Meeting was adjourned by Ms. Juarez at 7:06 pm

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