



Measure J Citizens' Oversight Committee

South San Francisco Unified School District

Meeting Type: Meeting of the Citizens' Oversight Committee (Meeting No. 31)

Meeting Date: Tuesday, March 8, 2016, 6:15 pm

Location: South San Francisco Unified School District Office Board Room
398 B Street
South San Francisco, CA 94080

Notice: Juanita Flores provided Spanish interpretation services for the CBOC members.

1. Preliminary

1.1 CALL TO ORDER – 6:17 pm

1.2 ROLL CALL

1.2.1 PRESENT: Dana Abarca (Clerk)
Martin Romero (arrived 6:30 pm)
John Sanna (Chair)
Paul Formosa
Richard Holt
Julia Lopez

1.2.2 ABSENT: Patricia Turpo-Ames
America Gutierrez - excused
Rich Blank (Vice Chair) - excused

1.2.3 OTHER: Patrick Lucy – SSFUSD Board Vice President
Michael Krause – SSFUSD (MK)
Donna Fentanes - SSFUSD (DF)
Juanita Flores
Cindy Alger
Erika Mendoza
Sandy Tidwell
Courtney Jenkins – OpTerra
Dave Baldwin – OpTerra
Adolfo Leiva
Lauren Kitchen
Bill Savidge

1.2.4 DF performed a roll call. JS mentioned for the record that JL would have to leave at 6:30 pm, her presence is appreciated.

2. Approval of Agenda – Agenda approved by John Sanna (Chair).

3. Approval of Meeting Minutes No. 30 – Meeting Minutes No. 30 were reviewed and unanimously approved by the CBOC.
4. Measure J Update – Asst. Superintendent of Business Services
 - 4.1 MK introduced Bill Savidge, District Bond Consultant. Explained he'd be assisting in transition from USS Cal Builders.
 - 4.2 BS gave short bio, explained he has been meeting with community groups to hear their concerns. Meeting with USS Cal also to resolve what we can. Working on pay applications and change orders. Doing what we can at the trailer level. BS working with the two major project sites: Buri Buri & Parkway as well as LC, SG & Martin. Working with SM & MK on recommendations on how to move forward. Complicated.
5. Review of Bond Audit – FY 14-15
 - 5.1 MK reviewed the Bond Audit. Will go to Board on 3/24. Explained this audit is the annual general audit, reviewed the regular sections the CBOC are used to seeing, highlighted the findings on the back.
 - 5.2 No. 1 finding – Change Order procedure & GMP increases, talked about how change orders exceeded 10% of contract amount. Discussed contingencies, explained purpose of contingencies and how they were used in Measure J projects.
 - 5.3 No. 2 finding – Turnover of personnel. Explained how many bond-related personnel have left the District, audit recommendation to hire someone to oversee bond work. JS asked if CM will report to BS or MK, MK said to BS, MK has other departments to handle. MK said BS under contract for 2 days a week, does a lot, very pleased. MR asked if he could be full time, MK said CM firm a possibility. Discussion of architects and complicated relationships.
 - 5.4 No. 3 finding – Reviewed invoices & pay apps, mentioned USS Cal \$971K work, subs involved said "we did not do the work." MK said USS Cal responded saying there's no merit to that, didn't want it presented to CBOC, not my personal recommendation. MK said District actively pursuing additional action. JS asked through counsel, MK maybe another \$200K that may have not been done. MR arrived at 6:30, MK updated MR. District will look at other pay apps, work and what occurred.
 - 5.5 MK reviewed quickly the financial sections of the Bond Audit, assets of \$46M, much lower now. As of January, we have \$27M. Discussion of stop payments. JS asked if MK has records of percentage overage for BB. MK said the budgeted BB amount is in financial project status in the financials the CBOC receive. Discussion of percentages, LLB contract problems and future District plans moving forward.
 - 5.6 PF asked that even though 29 payments were tested, because of this one, (No. 3 finding), you'll check them all. MK said the large payments where they may be room to fudge. PF asked if C/W will check the pay apps, MK said BS working on that, will keep public informed. MK called subs & verified, USS Cal did not want to respond, hard to refute independent auditor, not District, independent 3rd party. MR asked if District will go back to prior periods, expenses other than this contractor. MK's intention to go back to beginning of program.

6. Review of Measure J Financial Reports

- 6.1 MK referred to updated PO listing, mentioned not much activity since last meeting. Stop payments have made issuing checks difficult, possible joint checks. Need to determine how much to pay. JS asked if costs will be validated. MK will make sure CBOC knows of joint checks and amounts. MR asked if we'll see cleanup work at some of the sites or any work that doesn't require a contractor. MK said BS created short list of things we can do now while we transition, ideas will be presented to the Board.

7. Newsletter & Messaging to the Public

- 7.1 JS said he still wants committee to do something, will work with staff to make happen. MK asked DF to work with CBOC for newsletter. PF would contain activities of CBOC? Yes, we haven't done one, past history, roadblocks, where we've gone, etc., positive as well as negative items. PF basically what's in the minutes, MR added to be quarterly basis, we'll write it ourselves, need everyone's review.

8. Attendance Report Review

- 8.1 Attendance is consistent, not concerned at this time.

9. Meeting Schedule

- 9.1 Next meeting Tuesday, May 10, 2016, 6:15 pm. A special tour meeting has been scheduled for Tuesday, March 15 at 5:30 pm; Cindy Alger asked if public was invited. JS responded there will be perimeters, public will be limited. DA asked if BB, PWY & Martin can be visited. Those 3 sites were decided on.

10. Public Comment (10 minutes maximum). Public comments are limited to 3 minutes per person.

- 10.1 MK introduced guests from OpTerra, Courtney and Brian. JS normally not allowed to go back and forth, but will allow. JS explained not policy, just information transfer. OpTerra reps discussed their Year 3 presentation to Board. CBOC asked some questions. **PF asked when end of the year was, CJ said 10/31. PF asked how things weathered because of el nino, CJ said they were monitoring daily, frequent checks, contrary to popular belief, good for panels, rain cleans them. MR asked about the cost of project vs. projected costs savings, saying that the true cost to taxpayers will be \$45M, response? CJ said Chet Wang at Keygent sent something to MK about the program, suggested MR talk to MK. Solar panels guaranteed for 25 yrs, MR said contract said 20 yrs., \$20M savings does not offset \$25M cost. MR asked them to elaborate on reported KW value vs. actual KW value. JS said after explanation, must cut off. DB said first 5 year guarantee rebate amount, that's why number is higher, add two together. JS asked them to have info available when topic is agendized. MK said to have CBOC submit questions to them, they will be happy to answer.**
- 10.2 Cindy Alger commented that she is glad that a walk thru was set up, last time the police were called on her. She said MK said all sites are in compliance with code enforcement, MK is miscommunicating, not telling complete truth.
- 10.3 Bob Richardson is also glad to hear there will be another site walk. Need to get the ball rolling; it's a mess out there.

11. Adjournment – JS asked for adjournment, and the meeting was adjourned at 7:34 p.m. MR added a final comment, he did request OpTerra item to be on agenda, apologize they have to return.

Please advise the District within 48 hours if there are any errors in the meeting minutes. Provide questions and comments in a written form and address all discrepancies to the Assistant Superintendent of Business Services and South San Francisco Unified School District.