



SOUTH SAN FRANCISCO UNIFIED SCHOOL DISTRICT

398 B St. South San Francisco, CA 94080

(650) 877-8700

www.ssfusd.org

Dr. Shawnterra Moore, Superintendent

Meeting Minutes

Meeting Type: Meeting of the Measure T Citizen's Bond Oversight Committee

Meeting Date: Tuesday, December 12, 2023, 6:30PM

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

ORDER OF BUSINESS

I. **Call to Order: 6:30 PM**

CBOC Chair

II. **Roll Call**

Gina DeMartini

Daniela Jonguitud	Present
Miguel A. Nava	Present
Laura Parmer-Lohan	Present
John R. Penna	Present
John Sanna	Present
Avin Sharma	Present
Soy Wong	Absent

III. **Pledge of Allegiance**

CBOC Chair

IV. **Action: Approval of 10/20/23 Meeting Minutes**

CBOC Chair

- Laura Parmer-Lohan motioned to approve corrected meeting minutes from 10/20/2023 meeting. John Sanna Seconds the motion. Motion carried (unanimous)
- John Penna wants the following details noted for the record regarding his self-introduction at meeting on 10/20/2023:

Graduated S.F. State 1973 with a major in Economics/Minor in Business and Real Estate. Realtor 1964-2022. Founder of Liberty Bank 1988-2001. Served on the SSF City Council 1989-2001. Now retired.

V. **Information: Financial Information**

Ted O

- Don Kyu worked with Key Analytics, a financial software company to create the financial reports.

- a) Miguel Nava asks who set the \$150,000,000 for the first bond sale?
Ted O explained that the District is not allowed to sell all of the bonds at once and allow money to sit and earn interest. We as a district estimated we would need 1/3 of the total at a time.
- b) John Penna asked who set the amount of funds for each site. Have these amounts been approved by the Board?
Ted O explained that a Facilities Master Plan was prepared to identify the needs of each campus. The Board approved the allocation based on the Master Plan and amount of the bond, which represents only 50% of the overall needs of the school district.
- c) John Sanna asked if a breakdown of expenditures for each site will be provided to the Committee and how will those funds be used. If there is \$49,000,000 for El Camino and if \$25,000,000 is for a new performing arts facility, where does the rest of the money go?
Ted O explained that the order of work would be determined as the assessment process is done. That will include meetings with the site committees who will help determine the needs. Infrastructure first. Some things such as leaky roof and cracked sewer pipes need to be addressed first. Lori Shelton directs the committee to a report that lists expenditures.
- d) Miguel Nava asked how vendors are chosen. Is there an RFP? During the last bond, I was coaching here at SSF and we did not get a field because funds ran out.
Lori Shelton explained that first determination is how we will procure a project. Most of what we do is called Design/Bid/Build. We have an architect design the project, then formally bid it out per the public contract code, and, we are required to take the least responsible responsive bid. If we utilize a different form of procurement, it changes what we are able to do. Until we get to a particular project, we have not made that determination yet. In a typical case, we have to bid it out and are required to take the lowest bid as long as they meet all of the requirements that we put in the bid package. We do RFP for consultants but typically bid for contractors.
- e) John Penna asks if there is an engineer that will follow the architects design?
Lori Shelton – Architectural firms typically have their associated engineers. We do have the ability to deny somebody that we do not approve. We usually allow the architect to make their engineering selection.

Ted O - A pool of architects was brought to the board for approval. Lori and her team interviewed 30 Architect firms who applied and selected the top 18 to create a pool.
- f) John Penna explains - The reason I am asking is, in the past, the architect's design was not followed correctly by the engineer. How do we avoid something like this from happening?
Lori Shelton responds there is a whole review process that we go through. We evaluate the design package at various design phases. We are an integral part of the whole development.
- g) John Sanna states that nothing happens if DSA says no.
Lori Shelton confirmed that nothing happens if DSA does not approve. DSA is another level of oversight.
- h) John Penna is asking to add column for encumbrance to the front summary page.
Don Kyu agrees and confirms this can be done.
- i) John Sanna noticed the fee of \$514.00 that he had never seen before.
Ted O explained that this was a DSA fee.

- Avin Sharma pointed out typo in column F should be “B MINUS E.”
 - a) Ted O confirmed this would be corrected.

Ted O explains/defines what an encumbrance is; money that is set aside in anticipation of expenditures but has not yet been spent.

Ted O explains the final page of expenditures on page 5. The difference between the previous report and this summary report. The \$692,505.16 is made up of several fees related to the sale of bonds that were deducted directly from the \$150,000,000.00 prior to transfer to District.

VI. Information: Board Approved First Bond Projects

Lori Shelton

- Los Cerritos ES Modernization and Sunshine Gardens ES Modernization

Los Cerritos ES and Sunshine Gardens ES are both Title I schools. Both have been elevated for work because these two schools did not get any bond work done in the previous bond program.

- Westborough MS Field and Drop-off Project

The lower-level field is in disarray and cannot be used. This project will address revamping the field and the safety issue of the drop-off from Westborough Blvd that impacts the neighborhood. There are also pavement issues on the 3rd level, which is currently the only available play area for students.

- a) Miguel Nava asked what the field would become.

Lori Shelton: The staff has requested a soccer field.

- b) John Penna - The third item for Westborough MS – Where do we see the breakdown of what money is budgeted?

Lori Shelton explains that money has been budgeted for the overall project that was previously approved by the board and the public who voted on the Bond. We are still in the planning stages. Individual items will go to the board for approval before projects begin.

- c) John Penna is asking who determined the budget for Westborough MS.

Lori Shelton: This was part of the facilities master plan that was a result of assessments that were done. We are currently developing what projects will be done based on priority.

Ted O explains that funds were set aside and parked per site based on needs.

- A typo was discovered in the report. Page 4 shows Westborough Elementary. Needs to reflect Westborough ***Middle School***.
- El Camino HS Central Kitchen and Cafeteria Redesign

This project has been partially funded by Fund 40 for the design process, but it will essentially be a Bond Project. Part of the design falls under Fund 40 (Facilities) and the remaining design and construction will fall under the Bond Funds.

- a) John Sanna is asking if there are any other projects that are partially funded by Fund 40. As soon as someone from the public hears that Fund 40 is being used to front the Bond Projects, there are going to be issues, and we need to know in advance why Fund 40 was used.

Lori Shelton replied that the design for this project started 2 years ago.

- b) John Sanna understands that but he wants to be sure that the Committee understands it as well as the public.
Ted O explains that Facilities have a limited amount of money that they have to set aside every year of \$3,500,000 for regular, ongoing deferred maintenance and repairs. "We started this project 2 years ago, prior to the passing of the bond, when the state required all school Districts to provide free meals of breakfast and lunch to all students regardless of their income. When that happened, our kitchen and cafeteria were not designed for the huge number of students that were participating in the meal program. We had many students that were not able to get their food in time. They would line up for meals and the lines were too long. Lunch period is over before they got their lunch."
- c) John Sanna said, If we know that a project was already in process prior to the Bond being passed, we are able to answer that question. The committee needs to know whenever possible, in advance, that Fund 40 is in the front of it. As soon as you mention Fund 40, all sorts of alarms go off in the audience. You have to disclose.
- d) John Sanna is asking if the \$150,000,000 is a start?
Ted O confirms yes this is to start projects.
- e) Daniela Jonguitud asks, How long these projects take?
Lori Shelton explains that we are currently starting with site assessment for Los Cerritos ES and Sunshine Gardens ES. We have a team of architects and engineers that will go in and understand what the existing conditions are. Based on the information we get back from their reports and costs associated to repair, we will have to decide what the scope of the modernization project will be based on our budget and priorities. That can take 4-5 months each and then once we define our scope, we will move into what we call the design phase and begin to develop a project.
- f) John Penna confirms that CBOC job is just to review. How do you determine what the true amount should be? How do we know you are doing a good job?
Lori Shelton responds that CBOC looks in the rear. We will be getting engineering assessments at the various stages and then at the end, no matter what the cost assessments are, we will receive bids and contractors will tell us what they are willing to be paid to do the jobs. At that point, you will be looking to see how we have met our project budget and goals.
- g) John Penna asks - Can we make recommendations?
Lori Shelton responds- No. You are looking in the rear, so decisions have already been decided.
- Janet Mueller reminds everyone that there is a lot of information and input, and, that the job of the Oversight Committee is to make sure that the district has spent the money in accordance with the ballot initiative. You will also need to cross-reference to the Bond Project list because the district did not go out to voters to approve specific dollar amounts. That is their internal planning but they approved certain categories and project types. Whether you think it was wise or whether it stayed on logic. Those are the kinds of comments that are fair for you to comment on but the core of the job is to ask if the district spent the money in accordance with the ballot measure.
 - John Sanna states the final point is that we look over the numbers and as long as the dollars are spent on the projects that they say they are spending on and that whatever adjustments are made, as long as the money is all coming from the bond, we then verify to the taxpayers that yes the district spent the money directly on the project.
 - Ted O directs the CBOC to Resolution # 22-47 posted on our web site and they can read up on all of the projects that were approved for the Bond. This was provided to the CBOC at the first meeting. Ted O offers to email out to committee.

- HVAC Package A for locations/areas with the most need- Previously awarded in September.

VII. Information: Form 700 Requirement & Parliamentary Procedure Ted O

- Staff will provide information on the Form 700 requirement for members and Parliamentary Procedure for CBOC Actions.
 - a) Janet Mueller explains there is no guidance from the courts on how to treat the Advisory Committee. Generally, the Form 700 is filed by the person who are responsible for managing public expenditures, which the committee is not tasked to do, but in the abundance of caution and past bylaws, we think it is best for the member to file Form 700 to be safe. It is basically a form asking you to disclose certain financial and property interests. The school board has designated you all as form 700 filers. The decision is made when the school board creates a conflict code and expresses what school board members have to file what management employees have to file by title. It is in the Bylaws that the school board approved. However, if you choose not to file, you could then be open to some sort of penalty or could be assessed by the FPPC. The Executive Assistant to the Superintendent oversees the role of collecting the forms. There are no dollar amounts entered. You just need to check some boxes.
 - b) John Penna said he will not do it. Daniela Jonguitud and John Sanna say that since they are oversight and not actually making decisions they should not be required to sign. The members are requesting that Ted O ask board to waive this.
 - c) Ted O is asking that we add this to the next meeting agenda to take it to the board since this item was not on the agenda, we cannot make a motion to remove this requirement.

VIII. Miscellaneous: Ted O

- Discussion points.
 - a) In the last meeting, there was a question if the Chair can make a motion on action items. Ted O explains that Janet Mueller researched. Attorney confirmed that Chair can entertain motion but cannot make the motion.
 - b) Daniela Jonguitud requests further explanation of who Janet Mueller is. Questioning if it is conflict of interest for us to have an attorney. Ted O explains that the school district has multiple attorneys for different reasons, such as contracts/agreements. John Sanna confirms to Daniela Jonguitud that the district has to have legal representation.
 - c) Daniela Jonguitud wants to know why the CBOC does not have an attorney. Ted O explains that they are an Oversight Committee and not an enforcement committee.
 - d) Daniela Jonguitud Is not clear on what the \$803.00 legal fees are. Ted O explains that we use legal counsel throughout district, so we are well protected. We use different attorneys for different purposes depending on their expertise. We might have the attorney review the contract for the bond project construction firm to make sure the district is protected. We will only list legal fees in this report that are related to the bond.

IX. Public Comment on Non-Agendized Items CBOC Chair

No public Comments

X. **Committee Member Announcements/Reports**

CBOC Chair/Members

XI. **Adjournment: 7:31 PM**

CBOC Chair