



CITIZENS' BOND OVERSIGHT COMMITTEE (CBOC)

MEETING MINUTES

Wednesday, January 25, 2023

Tour: 6:00 p.m.

Meeting: 6:30 p.m.

Mt. Pleasant High School (Room 215, Building 200)

*1750 S. White Rd
San Jose, CA 95127*

The following were in attendance:

CBOC

Got-Lopez, Melissa

Hermange, Debbie

Meadows, Abigail

Pefley, Carol (Alt # 1)

Pham, Paul (Khoa)

Roberts, Christopher

Schimmel, Barry

Traynor, Patrick

Harkins, Cody (Alt # 2) - Zoom

ESUHSD

Huntoon, Michele

Kwong, Kelly

Lucas, Julio

Nguyen, Cathy

Nguyen, Nhu

Nguyen, Sandy

Tran, Shelby

Board of Trustees

Do, Bryan

Cortese, Pattie

Guest(s)/Community Member(s)

Lim, Alex (Van Pelt Construction Services)

Larsen, Kevin (Mr. Larsen, Parent)

Serrano, Brenda (Parent)

Huynh, Tracy

(Mt. Pleasant Elementary School District)

CBOC Member(s) Not Present

1. CALL TO ORDER/ROLL CALL

1.01 Call to Order/Roll Call

Roll call was taken at 6:28 p.m. by Chair Barry Schimmel.

2. PUBLIC COMMENT

2.01 Public Comment

Mr. Larsen (Kevin Larsen, parent) made public comments on agenda items number 3 and number 4.

3. APPROVAL OF MINUTES OF PREVIOUS MEETING

3.01 Action to Approve the Meeting Minutes of October 19, 2022 Meeting

Motion to approve the October 19, 2022, Meeting Minutes was made by Paul Pham and seconded by Christopher Roberts. Motion was carried (7 – 0). Aye.



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4. UPDATED ITEM(S) FROM CBOC CHAIR

4.01 Recruitment Announcement and Planning

Public commenter, Mr. Larsen, suggested the CBOC members watch West Contra Costa CBOC meeting videos to observe their practices.

Chair Barry Schimmel announced the terming out members (Abigail Cruz-Meadows and Vice Chair Melissa Got-Lopez) and encouraged expiring members to renew their membership (Carol Pefley, Cody Harkins, and Debbie Hermange). Chair also mentioned that we are actively looking for members who are qualified for the Business Organization category.

Q: Term limit [restarts] if you are out one year, correct? (Paul Pham)

A: Yes. (Barry Schimmel)

The 2023 News Release CBOC Recruitment-Business Org - Draft was reviewed. Staff informed the committee that the News Release will be posted on the bond website and sent to local media outlets. All members will also receive the final copy of the News Release to share with their peers.

Q: Is it possible to post on the Nextdoor community? (Carol Pefley)

A: Yes, we are here to help [with the recruitment effort]. (Melissa Got-Lopez)

Q: Are the candidates limited to the parents with children in the district? (Carol Pefley)

A: No. You don't have to live within the district boundaries to become a member (according to our bylaws, which have been verified by legal). (Nhu Nguyen)

Q: What about the Chambers of Commerce? (Patrick Traynor)

A: Nhu Nguyen will send out recruitment notices to the local Chambers of Commerce.

4.02 Solicitation of two (2) CBOC volunteers to assist with the recruitment process, including representing the CBOC in the Selection Committee along with two Board members to review applications and interview potential candidates

This task can be done over Zoom. Chair Barry Schimmel and Paul Pham volunteered to assist with the recruitment process. Christopher Roberts will shadow.

Update: Chair Barry Schimmel's term is also up; therefore, he will not be assisting with the recruitment process. Paul Pham and Christopher Roberts will represent the committee in this process.

Vice-Chair Melissa Got-Lopez clarified that one volunteer to shadow and help with the recruitment, one member will work directly with the Board on the selection process.



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Update: Due to the incorrect version of the bylaws that was provided to the Vice Chair, the true statement should be that two CBOC members will work directly with the two Board members on the selection process.

Motion to approve the volunteers to assist with recruitment and review of applications was made by Vice-Chair Melissa Got-Lopez and seconded by Debbie Hermange. (7-0)

4.03 Action to Approve the Revised CBOC Bylaws

Mr. Larsen had concerns about alternate members voting.

C: Alternate member has full voting rights in the absence of an at-large member per bylaws. Staff already verified with legal.

Vice-Chair Melissa Got-Lopez highlighted the changes made to the current bylaws by the bylaws subcommittee (Christopher Roberts, Melissa Got-Lopez, and Patrick Traynor), including the addition of Measure N and the clarification to the Officers' term and election.

Motion to approve the changes was made by Christopher Roberts and seconded by Abigail Cruz-Meadows. Motion was carried (7 – 0). Aye.

Q: Can you check with legal on the voting right of alternative members? (Patrick Traynor)

A: Alternative members can vote only if the At-Large member is absent. (Melissa Got-Lopez)

Chair Barry Schimmel encouraged members to look at the calendar to attend the CABOC workshop in October. Vice Chair Melissa Got-Lopez will reach out to see if members would like to attend.

4.04 Discussion of CABOC Workshop on October 15, 2022

Chair Barry Schimmel noted that this was the workshop that Mr. Larsen just referred to. He also mentioned that it was a good opportunity to learn from other school districts. Chair complimented the Board and superintendent for being supportive, noting that the superintendent approved for the district to cover the registration fees for the members to attend the workshop last October.

5. REPORTS

5.01 Presentation on the Capital Construction Project Updates – Julio Lucas, Senior Manager of the Bond Program

- **Andrew Hill - New Student Union**

Schedule: December 2022 – Total Cost: \$23,666,525



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Area: 23,000 square feet – Construction Team: Van Pelt Construction Services (CM), XL Construction/Aedis Architects (DBE)

We had a ribbon cutting last week and it was very well received. Staff are scheduled to move in after coming back from the two-week break.

- **Foothill - Modernization of Building G**

Schedule: TB (Board Approved 5/6/2021) – Estimated Total Cost: \$4,935,054

Area: 6,690 square feet – Construction Team: Gilbane Building Company(CM), Studio Lin Architecture

Building G will have counseling on one side and food service on the other. Currently, food is made in the neighboring school and then warmed up at Foothill. This will be a functional kitchen and part of the student union. Foothill High School does not have a gym and therefore, no shower. The new building will have a washer and a dryer for unhoused students to have a place to shower and wash clothes.

Q: What [category] is Foothill High School? (Melisa Got-Lopez)

A: Small but necessary school. (Julio Lucas)

- **Mt. Pleasant - Modernization of Building 500**

Schedule: April 2025 – Estimated Total Cost: \$18,444,202

Area: Approximately 11,500 square feet – Construction Team: Van Pelt Construction Services (CM), Rodan Builders/SVA Architects (DBE)

Counselors will be moving in when the new building is done.

- **Oak Grove - Modernization of Building K**

Schedule: April 2025 – Estimated Total Cost: \$19,356,870

Area: Approximately 12,000 square feet – Construction Team: Van Pelt Construction Services (CM), Alten Construction/SVA Architects (DBE)

Oak Grove has a similar phenomenon to Mt. Pleasant. The administrative space and learning center will be on the 2nd floor. We will be redoing building K, a place where food will be made, served and enjoyed. We will need to borrow a space for the interim.

- **Piedmont Hills - Performing Arts Building with Classrooms**

Schedule: September 2024 – Estimated Total Cost: \$17,871,012

Area: Approximately 10,500 square feet – Construction Team: Van Pelt Construction Services (CM), Gilbane Building Company/Perkins Eastman Dougherty (DBE)



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This is an interesting project. The theater and performance art work hand in hand. There will be practice rooms. While building, occupants will be housed in building G.

- **Independence - New Student Union**

Schedule: November 2023 – Total Cost: \$27,076,792

Area: 35,000 square feet – Construction Team: Gilbane Building Company (CM), Alten Construction/SVA Architects (DBE)

This is a full student union. Principal, Associate Principal of Educational Development (APED), and administrative staff will be in this building. It is similar to Andrew Hill student union, the one we just had the ribbon cutting. Associate Principal of Administrative Services (APA) will be in a different building.

- **Silver Creek - Building K**

Schedule: April 2023 – Total Cost: \$23,200,000

Area: 17,810 square feet – Construction Team: Gilbane Building Company (CM), Rodan Builders, Inc./Cody Anderson Wasney (DBE)

There is a central interior core, the collaborative space. The construction will be done in May. The building will be open in fall of 2023.

- **Santa Teresa - New Building**

Schedule: September 2023 – Total Cost: \$12,477,277

Area: 9,450 and 9,654 square feet – Construction Team: Gilbane Building Company (CM), BCA Architects, DL Falk Construction

This is another classroom building, science ready classrooms. It is still in soil prep, preslap work. There were some complications with this project, but we are making progress. Recording and documenting events is key to managing complex and difficult projects.

Chair Barry Schimmel commented briefly about the process of selecting the lowest bidder and how it could affect the quality of the work. However, he noted that East Side is doing a good job with selecting the contractor team using the design-build delivery method.

Julio Lucas gave examples of the difficulties the project is facing beyond the construction site, such as site break-ins and power outages, etc. However, the team managed to overcome the obstacles and continued to work with the contractor to make it a successful project.

Q: Who is responsible for security? (Carol Pefley)

A: Contractor is responsible for material loss. (Julio Lucas)



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Q: This affects students. Does it cost more with legal and time? (Christopher Roberts)

A: When we budget and plan, we have contingency funds to cover these kinds of unforeseen circumstances. (Julio Lucas)

Q: Does money get taken from another site? (Christopher Roberts)

A: East side does not borrow money from one site for another site. When a site funding is allocated, it stays with that site. It does not shift from site to site. (Julio Lucas)

- **Evergreen Valley - New Student Union**

Schedule: December (November) 2022 – Total Cost: \$23,559,518

Area: 33,000 square feet – Construction Team: Gilbane Building Company (CM), Rodan Builders/SVA Architects (DBE)

This is an active construction site that is near completion. Administrative spaces spread throughout the new student union. It connects the existing Cougar Hall and Library into one big space that consists of a dining hall, a learning center, and the surrounding administrative and student support spaces.

- **Yerba Buena - Performing/Fine Arts Classrooms and Theater Building**

Schedule: March 2025 – Estimated Total Cost: \$25,039,127

Area: Approximately 19,430 square feet – Construction Team: Gilbane Building Company (CM), BHM Construction, Inc/HED (DBE)

The selected team is going through preliminary design.

- **Yerba Buena - Ball Field Improvements**

Schedule: October 2023 – Estimated Total Cost: \$9,500,000

Area: 298,000 square feet – Construction Team: Gilbane Building Company (CM), Robert A. Bothman Inc./Lloyd Engineering, Inc. (DBE)

This project is going well. All green areas will be synthetic.

- **Vendor Selection For Design-Build Process** (topic was requested by Vice Chair Melissa Got-Lopez at the previous meeting)

Melissa Got-Lopez briefed the members on how the requested topic came about. Julio Lucas explained the process of vendor selection, focusing on design-build delivery method, which includes the following components:



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1. Establish Project Criteria → 2. Request for Qualification (RFQ) → 3. Confidential Meetings → 4. Request for Proposal (RFP) → 5. Final Evaluation → 6. Award Contract

The selection is based on best value. When we have a winner, the project site team, including the site principal and the bond team, will carry out the delivery of the project.

Q: Is it the same [evaluation panel] for every project? (Carol Pefley)

A: The panel usually composed of the following individuals: Senior Manager of the Bond Program (Julio Lucas, who is accountable for the bond projects), Construction Bond Program Controls Manager (Sandy Nguyen, who is accountable for the bond money), site principal (leadership of the site), Director of Facilities Maintenance and Operation (Matt Sidlauskus, who is responsible for the upkeep of the facilities). It is the profile of the position they hold. (Julio Lucas)

C: It is an open and transparent process. Julio does not get to pick his friends, or the people he knows. (Barry Schimmel)

C: I now understand more how to ensure contractors are held accountable and how to track [issues] so they will not re-occur. (Melissa Got-Lopez)

5.02 Information on the Capital Program Budget Adjustment Report – Sandy Nguyen, Construction Bond Program Controls Manager

Sandy Nguyen provided the Board approved Capital Program Budget Adjustment Report for the month of September 2022 thru October 2022. These reports show board approved changes to a project budget within the last three months.

5.03 Presentation and Action to Receive and Approve the Budgets and Expenditures Report – Cathy Nguyen, Capital Budget Manager

Cathy Nguyen presented and provided an update of the Board Approved Budgets and Expenditures on all bond measures (Measure G, E, I, I-Technology, and Z) through November 30, 2022. A summary of the overall budget, including the total current encumbrance balance, total expenditures/disbursements, and total remaining budget balance, was presented.

Q: Does “remain allocation” mean what is left in the account after a project is completed? How is the remainder used in the district? Is that the buffer to cover other projects within the site? (Christopher Roberts)

A: Yes. When developing a project budget, we use the remaining allocation in the old measures to supplement the new project budget. (Julio Lucas)



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C: The public appreciates the guide on how to read the financial reports that are put together by the bond team. (Barry Schimmel)

Q: How are we doing with the inflation [in material pricing] compared to Lowe's and Home Depot? (Barry Schimmel)

A: We are okay. (Julio Lucas)

C: It never became a severe issue. (Alex Lim)

Motion to accept the Budgets and Expenditures Report was made by Christopher Roberts and seconded by Melissa Got-Lopez. Motion was carried (7 - 0). Aye. The motion passed unanimously.

6. COMMITTEE COMMUNICATIONS / COMMENTS

6.01 Opportunity for Committee Members to Share Additional Comments

Christopher Roberts commented that he appreciated how the team turned complex financial data and made it simple. Chair Barry Schimmel also expressed positive comments and appreciation to the bond team.

7. CONFIRMATION OF NEXT MEETING LOCATION

7.01 Confirmation of Meeting Location for Next Meeting: Wednesday, April 26, 2023 @ 6:30 p.m.

The next meeting will be on Wednesday, April 26, 2023 at Evergreen Valley High School at 6:30 p.m.

8. ADJOURNMENT

8.01 Adjournment

Chair Barry Schimmel adjourned the meeting at 8:08 p.m.

Minutes approved by: **BARRY SCHIMMEL**
Print Name

Barry Schimmel
Barry Schimmel (Apr 27, 2023 13:21 PDT)
Signature

Apr 27, 2023
Date






2023 0125 CBOC Meeting Minutes

Final Audit Report

2023-04-27

Created:	2023-04-27
By:	Nhu Nguyen (nguyennq@esuhsd.org)
Status:	Signed
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