



CITIZENS' BOND OVERSIGHT COMMITTEE (CBOC)

MEETING MINUTES

Wednesday, January 24, 2024

Tour: 5:30 p.m.

Meeting: 6:00 p.m.

Independence High School (Conference Room N101A)

617 N Jackson Avenue

San Jose, CA 95133

The following were in attendance:

CBOC

Harkins, Cody

Hermange, Debbie

Nair, Rajani

Pefley, Carol

Pham, Paul (Khoa)

Roberts, Christopher

Traynor, Patrick

ESUHSD

Berg, Bjorn

Bright, Jeremy (via Zoom)

Huntoon, Michele

Kwong, Kelly

Lucas, Julio

Nguyen, Cathy

Nguyen, Nhu

Nguyen, Sandy

Tran, Shelby

Board of Trustees

Do, Bryan

Guest(s)/Community Member(s)

Nguyen, Jimmy (Gilbane) (via Zoom)

CBOC Member(s) Not Present

Schimmel, Barry

1. CALL TO ORDER/ROLL CALL

1.01 Call to Order/Roll Call

Roll call was taken at 6:12 p.m. Vice-Chair Christopher Roberts led the meeting in Chair Barry Schimmel's absence.

2. PUBLIC COMMENT

2.01 Public Comment

No general public comments at this time.

3. APPROVAL OF MINUTES OF PREVIOUS MEETING

3.01 Action to Approve the Meeting Minutes of October 18, 2023, Meeting

Motion to approve the October 18, 2023, Meeting Minutes was made by Patrick Traynor and seconded by Carol Pefley. Motion was carried (6 – 0). Aye. Member Paul Pham was absent at the time of voting.



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4. UPDATED ITEM(S) FROM CBOC CHAIR

4.01 Recruitment Announcement and Planning

Vice-Chair Christopher Roberts informed the committee that the recruitment announcement will be sent out on February 1, 2024. The vice-chair encouraged committee members to share the recruitment announcement among their peers and briefly went over the list of members and their terms to identify members who were up for membership renewal. The three members whose term is expiring in June are Christopher Roberts, Patrick Traynor, and Paul Pham. Vice-Chair Christopher Roberts planned to renew his final term, as did member Patrick Traynor. Member Paul Pham was not present at the time of inquiry. The committee will check with Paul Pham later if he plans to renew his membership.

4.02 Solicitation of two (2) CBOC volunteers to represent the CBOC in the Selection Committee and assist with the recruitment process

Members Carol Pefley and Rajani Nair volunteered to represent the CBOC in the Selection Committee and assist with the recruitment process. Staff member Nhu Nguyen will share the process timeline with the volunteering members.

4.03 Action to Approve the Revised CBOC Bylaws

Patrick Traynor briefly talked about the changes made to the bylaws and explained the intention behind these changes.

For the change in Section 7, Item 4, regarding the posting timeline of the CBOC meeting minutes, Nhu Nguyen asked Patrick Traynor to clarify whether the two-week posting of the meeting minutes after each meeting is for internal among the members to review or for the public. The current practice for public posting of the meeting minutes is after the minutes have been approved at the subsequent meeting and signed off by the chair or vice-chair. Patrick Traynor confirmed the intention was to post publicly within two weeks of the meeting.

Chief Business Officer (CBO) Michele Huntoon chimed in and said she believed the minutes should not be posted before the committee approves them. She would confirm that with the District legal counsel and let the committee know. In the meantime, if we can remove this change and keep the original, we can keep things moving forward.

Michele Huntoon also mentioned that an alternative language is needed for Section 11, and to keep the bylaws approval schedule in February, this update also needs to be removed.



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The committee agreed with Michele Huntoon's suggestion. Motion to approve the updated bylaws with the omission of the changes in Section 7, Item No. 4 and Section 11 was made by Carol Pefley and seconded by Cody Harkins. Aye. (6-0). Member Paul Pham was absent at the time of voting.

Q: Does it say anywhere on the Bylaws about quorum? Does it have to be spelled out? (Rajani Nair)

Kelly Kwong, Manager of Internal Control, suggested the committee consider the term "simple majority" to define quorum as used in the bylaws for the District Audit Committee.

5. REPORTS

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

- **Foothill - Modernization of Building G**

Schedule: Fall 2024 – Estimated Total Cost: \$4,935,054

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

We went through the bidding phase this week to award a contractor. This is a design-bid-build (DBB) project that includes a counseling space, classroom/food service space, and a space for students who do not have a restroom/bathroom or washer/dryer in their lives.

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

Schedule: Spring 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

We demolished building 500 over the December Holiday break. A new food service is coming. The same kind of severity that we have seen.

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

Schedule: Fall 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 DBE

The project is well on its way toward completion. It is a music and performing arts building. We work with a great team. There is a lot of participation by the site, the principal, and the music department. People are well-informed about the steps and development of the project.



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Q: Is this the picture of what it looks like today? (Carol Pefley)

A: The picture was taken within a week. (Julio Lucas)

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

Schedule: Spring 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

This is the demolition of building K to build a dining hall where scratch food is made. Not every campus has the same layout. It would be a dream for Oak Grove to have a learning center, dining hall, food service, and administrative offices in one building. However, part of this process is working with what you have and finding the resources for the best project outcome. At the moment, building K is not yet torn down. It will be taken down on the 3rd week of February during the winter break to avoid disruption with the noises and stoppage of general school operations such as power, sewage, etc.

Q: The building material is old; does it contain asbestos? (Rajani Nair)

A: Yes. During the break, we had a hygienist come in to bag and tag the bad material. It was tested, quantified, identified, and removed. (Julio Lucas)

Q: Building K is a food building; do they have an alternate facility while this is going away? (Cody Harkins)

A: Currently, food is being made at a neighbouring high school, Santa Teresa High School, and served at Oak Grove building Q while building K is being built. (Julio Lucas)

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

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

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

We are still negotiating with the design-builder and looking to bring this to the Board in March. The building has seven classrooms and a banquet/theater-type facility.

- **Yerba Buena - Ball Field Improvements**

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

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



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This job was recently completed. It is the first East Side synthetic baseball and softball field construction and a very successful project. It is something the other campuses will want in the future; see how it ages, how it plays out and learn from it. Infrastructure is not something we only talk about day one. Synthetic turf, for example, depending on usage and the way it ages, we would need a refresh every 12 years or so. Therefore, for anything that we build, we need to plan for it beyond the initial investment.

Christopher Roberts praised the outcome of the field as having made incredible differences to the visual perspective of the campus. Julio Lucas emphasized that there was a lot of pride in bringing this project to life from everyone.

- **Independence - New Student Union**

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

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

This is the project we toured today. It is the idea of serving the students in a way that is more than a little wire-mesh window service but rather a professional food service/dining experience.

- **Santa Teresa - New Building**

Schedule: Spring 2024 – Total Cost: \$13,477,277

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

In the past, we struggled with this project. The project started at the same time as the project at Independence High School, but there is a huge difference in progress because of the different contractors. We need to hold people accountable for putting us in that position but at the same time, we need to come to a conclusion and make something happen and live for Santa Teresa. At the end of the day, it will be a win and a success for Santa Teresa.

Q: Can we add funding to each project slide in the future? (Rajani Nair)

A: Yes. The majority of funding is from Measure Z. There are minimum amounts from the residual Measure E and I funds. (Julio Lucas)

Q: Are there any measures near completion? And the date of completion? (Patrick Traynor)

A: Measure G is, with around 1 million left and anticipation of project completion in the year 2025

Sandy Nguyen mentioned measure G. Julio Lucas chimed in and listed all the current measures at East Side, including the new measure N.



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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 period of September 2023 through November 2023. These reports show Board-approved changes to a project budget within the last three months. For this period, we have only one adjustment in October.

Q: What are the funds 25 and 35? (Rajani Nair)

A: Developer Fees (25) and School Facilities funds (35). (Sandy Nguyen)

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, Z and N) through November 30, 2023. A summary of the overall budget was presented, including the total current encumbrance balance, total expenditures/disbursements, and total remaining budget balance.

Q: What is the schedule to get Measure N allocated? What is the process? (Rajani Nair)

A: We went out for a Request for Proposal (RFP) for the Facilities Master Planning consulting services. A firm has not yet been selected. Julio Lucas will be working with the chosen firm. The Board will be involved in the process, but the funds will not be issued for some time. However, Measure Z is expected to take us to 2037. (Michele Huntoon)

Motion to receive and approve the Budget and Expenditures Report was made by Rajani Nair and seconded by Debbie Hermange. Motion was carried (6-0). Aye. Member Paul Pham was absent at the time of voting.

6. COMMITTEE COMMUNICATIONS / COMMENTS

6.01 Opportunity for Committee Members to Share Additional Comments

Q: How does the CBOC meeting agenda format get approved? Does it need to be Board approved? (Rajani Nair)

Nhu Nguyen explained the process of preparing the draft of the agenda prior to the meeting.

Q: How do we encourage more public members to attend the CBOC meeting? Is that something to look into? (Rajani Nair)



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A: That is definitely something that can be added to the recruitment committee. As a committee member, we are the voice of our specific community. (Christopher Roberts)

C: The meeting announcement and agenda are posted on the bond website and BoardDocs and distributed to school sites so the sites can distribute them to the community. (Nhu Nguyen)

C: When the community gets involved or wants to know what is going on with the money they are paying for these school improvements, they would likely go to the school Board meetings. We (the CBOC) have nothing to do with it; we are just here to make sure the money is being used how it was supposed to be used. (Christopher Roberts)

Vice-Chair Christopher Roberts explained the process of preparing the agenda with the assistance of the district staff. The vice-chair also recognized Independence High School Principal Bjorn Berg for staying for the meeting after giving the committee a tour. He then praised Julio Lucas for his presentations on project updates and for always providing an answer to the committee's questions and inquiries. In the vice-chair's opinion, the campuses they have seen are drastically different. There is a common thread that flows the student body through an experience that is different from how schools used to be built. These facilities are fresh, up-to-date and communal-based. They created an environment for the students to congregate and want to be at school and eat at school, which is a positive change compared to before.

Q: What are we looking for in terms of recruitment? Are there guidelines on what the committee needs? For example, lawyers, people with financial or CPA backgrounds, etc... (Carol Pefley)

A: We can start with who we are. We are all unique and have our own bounds of people that we work with. Diversity is what helps the committee. So, if you know someone who is interested in what the money is being spent on, how it is being spent, and what effect it has on the children in our community, word of mouth or email distribution would certainly help in getting the word out. (Christopher Roberts)

7. CONFIRMATION OF NEXT MEETING LOCATION

7.01 Confirmation of Meeting Location for Next Meeting: Wednesday, April 17, 2024 @ 6:00 p.m. (TBD)

The next meeting will be on Wednesday, April 17, 2024, at Santa Teresa High School at 6:00 p.m. The tour of the new science building starts at 5:30 p.m.

8. ADJOURNMENT

8.01 Adjournment

Vice-Chair Christopher Roberts adjourned the meeting at 7:15 p.m.



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Motion to adjourn the meeting was made by Patrick Traynor and seconded by Debbie Hermange. Motion was carried (6-0). Aye. Paul Pham was absent at the time of voting.

Minutes approved by: Barry Schimmel 
Print Name Signature

Apr 18, 2024
Date






2023 0124 CBOC Meeting Minutes

Final Audit Report

2024-04-19

Created:	2024-04-18
By:	Nhu Nguyen (nguyennq@esuhsd.org)
Status:	Signed
Transaction ID:	CBJCHBCAABAAx_7fZV-bMMLzUO-LXV5HAe-o_y85QAYO

"2023 0124 CBOC Meeting Minutes" History

-  Document created by Nhu Nguyen (nguyennq@esuhsd.org)
2024-04-18 - 8:18:14 PM GMT- IP address: 198.148.71.18
-  Document emailed to Barry Schimmel (bschimmel@sbcglobal.net) for signature
2024-04-18 - 8:19:45 PM GMT
-  Email viewed by Barry Schimmel (bschimmel@sbcglobal.net)
2024-04-18 - 8:36:26 PM GMT- IP address: 69.147.86.138
-  Document e-signed by Barry Schimmel (bschimmel@sbcglobal.net)
Signature Date: 2024-04-19 - 0:09:28 AM GMT - Time Source: server- IP address: 108.88.89.35
-  Agreement completed.
2024-04-19 - 0:09:28 AM GMT