

MINUTES OF THE CBOC MEETING:	December 7, 2005 135 Van Ness Avenue, Room 209	
Facilitator:	Hydra Mendoza, Vice Chair	
Committee Members Present:	Patricia Crawford Georgia Lee Jim Quadra Lisa Stevens	Nick Driver, Secretary Nan McGuire Wade Randlett Hydra Mendoza, Vice-Chair
Interested Parties Present:	Bruce Hart Leonard Tom	Miguel Marquez

1. **Hydra presided over the meeting.**
2. **Roll call.**
3. **Minutes of 10/05/05 meeting approved.**

4. **Public Comments:**

NONE.

5. **Program Status Reports**

Chair, Vice Chair Comments

Board of Education has requested nominations (4) for replacement of CBOC members by January, 2006. Election of officers will be done on the next CBOC meeting, February, 2006.

Audit Committee

VTD, the auditing firm hired by the district will start the audit soon.

Ethics and Governance Committee

Committee had made 4 attempts to meet but not able to due to difficulty complying with Brown Act notice requirements. A committee meeting has been scheduled today for December 15, 2005 at 3:00PM at Jim Quadra's office. The agenda for this meeting are as follows:

- Follow-up in Lopez requirements
- Bond expenditures on schools being considered for closure
- Discussion of PUC ethic standards

The Agenda will be posted by Susan from Leonard's Office at 2 locations: 555 Franklin and 135 Van Ness and at Jim Quadra's office.

Facilities Inspection Committee

Nan McGuire discuss on her trips with Nick Driver at Hillcrest and Bryant. There is low or no parent attendance on these meetings. There are 17 schools involved on the greening schoolyard projects, out of these schools 9 of them have new principals

Chief of Facilities – no report.

Bond Manager – Leonard Tom:

- There are 32 Projects in the program, as the Board of Education has decided to close Treasure Island.
- 20 projects have been submitted to plaintiff experts in Lopez case for 30-day review. We have received comments on 16 projects (no major issues identified).
- 17 projects have been submitted to DSA for review and approval (11 projects have been approved). 9 projects have been submitted to OPSC for approval of Prop 55 funding (so far 4 projects were awarded with total of \$10.6 million).
- 5 projects are currently under construction (Bryant, Bret Harte, Rosa Parks, Thurgood Marshall, and Dr. Charles Drew). Bryant is nearly complete, expecting a walk-thru in next couple of weeks. Contract for Commodore Sloat has been awarded. Last week, bids for Clarendon were received. The original low bidder had withdrawn their bid due to clerical error and the district accepted the withdrawal. Upcoming projects out for bid are Alvarado and Sherman. The presentation by the Bond Program at Alvarado was clear and was received by the community.
- 31 "roadshow" meetings have been conducted with site committees to review project and construction impacts.

- We are in the process of assigning 25 projects to 5 construction management firms selected during the second round.
- Green schoolyard predevelopment plans are complete and final at 3 schools (Bryant, Clarendon, and Sherman). One is in its final draft and will be complete upon approval by the site committee.
- Program budget is currently at \$337 million. This has not changed
- \$130M bond sale was successfully completed at the end of October.
- As of the Board meeting of November, \$58M of Prop A contracts had been authorized by the Board of Education.
- \$15.3M expended as of the end of October, 2005.
- \$4.4M funds left from Treasure Island will be transferred to the programwide contingency fund. This will be used for projects that will likely go over the expected construction budget, such as Alvarado.

Several questions arise on the District policy of admittance or location in compliance with State law in relation with the Bond projects.

- 1) How many schools in the Bond projects are not in compliance, the dollar amount it involves and how it has affected the Bond project budget? Leonard to find out how many schools fall into the category of moving classrooms due to the K-2 safety requirements and how it affects the Bond program budget.
- 2) Request for matrix report showing any functional changes, problematic issues, costs, budgetary transfers and design changes for any projects.
- 3) How to maintain enough contingency for all schools to receive the minimum life, safety and accessibility requirements? Maintain discipline among architectural designs, interest accrued from the bonds, and closure of Treasure Island.
- 4) What community group is being serviced by the Bond projects? Overcrowded schools will probably received the minimum life, safety and accessibility requirement completed, but the underutilized schools will received more modernization work done.
- 5) Item for next agenda: Allocation of funds.

PEA-Bruce Hart – combined report with Leonard. See above.

Greening Program – discussed earlier.

6. Continuation of discussion of actions to be taken under Lopez case.

Miguel Marquez explained the Lopez case in relation to the Prop A. In 1990, ADA was passed. It did not require immediately for facilities accessibility, but for the district to have transition plans to accomplish this. If it's a new construction, it needs to have the standard accessibility. If it was modernization, it has to be updated with the accessibility, life and safety standards. He was not clear on whether the district did not have a transition plan or had a transition plan but did not implement it accordingly, but the district was sued. In November, 2003, after 4 years of litigation, the district put a bond to the voters in order to settle the Lopez case. \$295M bond, Prop A with priorities 1, 2 and 3 was passed in November, 2003. In June, 2004, the district agreed to the stipulated judgment of the Lopez case. Prop A 2003 did not have specific language on what to do on accessibility. It states that the facilities have to be brought up to accessibility, fire and life standards. Lopez stipulation came up with bringing up these schools to standards at a certain time line. Lopez case does not have any conflict with what Prop A requires.

- 1) How did accessibility, life and safety as the minimum upgrades compared to modernization at certain schools? DSA requirements are comparable to what Lopez requires. What is the basis of fundamental decisions on funding schools?
- 2) Data on the differential of the budget.
- 3) Identify any non-compliant based on the highest standards (state +) for accessibility.
- 4) Committee is to monitor any expenses to ensure non-violation of the bond.

Proposed Agenda for next meeting

1. Review of PUC Ethics questions.
2. Allocation of funds
3. Election of new officers.
4. Legal opinion clarifying on what CBOC can challenge in terms of expenditures.

Next meeting will be on February 1, 2006.

Meeting was adjourned.