

Citizens' Bond Oversight Committee (CBOC or "Committee") Meeting
San Francisco Unified School District
Minutes of Meeting on August 3, 2005

Present: Hydra Mendoza, Vice Chair
Patricia Crawford
Shirley Herndon
Georgia Lee
Jim Quadra

Staff: Leonard Tom
Miguel Marquez, Esq.
David Goldin

The meeting was called to order on August 3, 2005 at 6:35 pm.

Vice Chair Mendoza explained that if the Chair resigns, then the Vice Chair will succeed as the Chair. If the Vice Chair is unable to serve, then the Secretary will become the Chair. Miguel Marquez will look at the protocol for election of officers and report to the Committee at the next meeting.

Vice Chair Mendoza report on the Alvarado school visit as part of the out reach program by the Committee. The principal of Alvarado and 50 to 60 people were present voicing their concerns over the construction.

There was a question raised about the notice requirement for meetings of CBOC sub committees. Mr. Marquez explained that any sub committee that reports back to CBOC may not meet unless public notice is given 72 hours in advance for regular meetings and 24 hours in advance for special meetings.

Action items proposed for next CBOC meeting:

- a. Review of the purpose and membership for all sub-committees, including the protocol for meeting notice and agenda for sub-committee meetings. Jim Quadra suggested that all CBOC members be members of the Audit Committee.
- b. Election of officers. Committee member term expires at the end of the year.
- c. See other action items under Lopez Litigation below.

Program Manager Report:

1. Currently, there are two construction projects (Bryant and Bret Harte) underway. The original goal was for six projects underway by the beginning of summer.

2. The reasons for the delay for commencement of construction include; inadequate staffing, slow processing through DSA, project complexity, and extended processing times for some purchase orders which delayed the start up of time-critical surveys.
3. Bret Harte is \$200k over budget. The original budget was \$2.7million.
4. While the Bond Program budget calls for a staff of 8, there are currently only 6 staff members on board.
5. Changes in the Treasure Island project may result in savings that will go to program wide contingency. The reason for the savings is that Treasure Island currently has fewer than 100 students and not all of the facility is needed.
6. Lopez litigation related issues – the deadline for meeting the Lopez litigation settlement is June 30, 2007. However, some projects will not be completed by that time. During a mediation session in June, 2005, the Plaintiff refused to discuss the project schedule issue.

Lopez Litigation and its Impact on Prop A.

There was considerable discussion among the Committee members regarding the impact of Lopez litigation settlement on the breadth and scope of construction funded by monies raised under Proposition A. The question is whether Proposition A monies are allowed to be used (as a priority) to satisfy Lopez settlement (such as following federal standards and guidelines) or should the monies first be used to satisfy the scope of work as contemplated by the voters when Proposition A was voted in since the taxpayer vote for Proposition A preceded the Lopez settlement.

The Committee members were reminded that setting priorities for construction under Proposition A is not a responsibility of the CBOC. However, the Committee requested the following **action items**:

- a. Request a checklist of priorities as enumerated in Proposition A.
- b. Request an opinion of counsel for the next meeting on Lopez spending vs. Proposition A priorities.
- c. Request an opinion from Bond counsel for the authority of CBOC members to review Lopez spending vs. bond proceeds funding.
- d. Request a report from the Executive Architect (KH/3DI) to compare Proposition A scope language against the construction projects that are currently under way (i.e., Bryant, Bret Harte and Thurgood Marshal).