



# CITIZENS' BOND OVERSIGHT COMMITTEE (CBOC)

## MEETING MINUTES

**Wednesday, July 20, 2022**

*Tour: 6:00 p.m.*

*Meeting: 6:30 p.m.*

**Santa Teresa High School (Library)**

*6150 Snell Avenue*

*San Jose, CA 95123*

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*The following were in attendance:*

### **CBOC**

Got-Lopez, Melissa  
Harkins, Cody (Alt # 2)  
Hermange, Debbie  
Pefley, Carol (Alt # 1)  
Pham, Khoa (Paul)  
Roberts, Christopher  
Schimmel, Barry  
Traynor, Patrick

### **CBOC Member(s) Not Present**

Meadows, Abigail

### **ESUHSD**

Kwong, Kelly  
Lucas, Julio  
Nguyen, Cathy  
Nguyen, Nhu  
Nguyen, Sandy  
Nguyen, Tuyen  
Phelps, Randy  
Soto, Moises  
Tran, Shelby  
Vander Zee, Glenn  
Wheeohan, Ron

### **Board of Trustees**

Do, Bryan (Zoom)

### **Guest(s)/Community Member(s)**

Morrison, Alex (Gilbane)  
Larsen, Kevin (Community Member,  
via Zoom)

## **1. CALL TO ORDER/ROLL CALL**

### **1.01 Call to Order/Roll Call**

Roll call was taken at 6:32 p.m. by chair Barry Schimmel.

## **2. PUBLIC COMMENT**

### **2.01 Public Comment**

Kevin Larsen joined the meeting via Zoom and submitted online public comments for agenda items 2.01, 4.01 and 4.03. The comments for items 4.01 and 4.03 will be addressed at the time the items are presented and discussed.

## **3. REVIEW AND APPROVE MINUTES OF PREVIOUS MEETING**

### **3.01 Action to Approve the Meeting Minutes of April 27, 2022 Meeting**



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A motion to approve the April 27, 2022, Meeting Minutes was made by Patrick Traynor and seconded by Debbie Hermange. Motion was carried (7 – 0). Aye.

### 4. UPDATED ITEM(S) FROM CBOC CHAIR

#### 4.01 Introduce New CBOC Members for Fiscal Year 2022-2023

Chair Barry Schimmel thanked Vice Chair for leading the last two CBOC meetings in his absence and prepared/provided training to the new CBOC members. New members Khoa (Paul) Pham, Carol Pefley, and Cody Harkins briefly introduced themselves and provided their background and experience as well as their purpose for joining the CBOC.

Chair answered public comments from Kevin Larsen. Mr. Larsen stated that he was experiencing technical difficulties with his computer and requested that his comments be read out by staff.

Mr. Larsen was concerned that the expenditures for the building funds were not being reviewed by the CBOC on a monthly basis. Mr. Larsen recommended that the CBOC review the expenditures each month and discuss them at each meeting.

Mr. Larsen also expressed his concern about the conflict of interest with some existing CBOC members and asked the district to implement a stricter conflict of interest requirement on its CBOC application. Chair Barry Schimmel stated that the district would check with legal counsel to confirm that the current conflict of interest requirements on the application meet Ed Code requirements.

#### 4.02 Explain the Role and Function of Alternate Members

Vice Chair Melissa Got-Lopez explained the roles and responsibilities of alternative members and how they helped in ensuring continuity in case of members terming out. Even though alternate members do not constitute quorum, they can represent an at-large member in their absence with full voting power.

**Q:** What is the term limit for an alternate member? (Paul-Khoa Pham)

**A:** One year term (Nhu Nguyen)

#### 4.03 Action to Approve the Final Draft of the CBOC Annual Report Fiscal Year 2020-2021

Chair Barry Schimmel answered public comment from Mr. Larsen regarding the CBOC Annual Report. Mr. Larsen questioned if the report was written by the CBOC members. Chair Barry Schimmel confirmed that the report was written by the Annual Report Subcommittee and briefly explained the process of collaboration and the contributions of each subcommittee member.



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Subcommittee member Christopher Roberts confirmed that the report was actively written by and coordinated among the subcommittee members and that the collective information was put together by staff. Yearly audit is performed by an outside organization and the report/result is reported to the CBOC at their meeting in April.

Motion to approve the draft was made by Christopher Roberts and seconded by Carol Pefley to go to the board meeting on August 18, 2022. Carol Pefley voted in place of absent at-large member Abigail Cruz-Meadows. Motion was carried (7 – 0). Aye.

New member Carol Pefley asked if it is the committee's responsibility to review invoices and checks. Chair Barry Schimmel stated that the committee reviews the budget numbers and if there are questions regarding the cost of the project, they will be referred to the Senior Manager of the Bond Program for clarifications. Vice-chair Melissa Got-Lopez emphasized that the District hires external auditors to review the expenditures yearly and the result is also reported on the CBOC annual report. Chair pointed out the two types of required audits performed by the certified external auditors, performance audit and financial audit, and their differences.

**Q:** Will the report become public records after the Board approves it? (Cody Harkins)

**A:** The report will be available to the public as an attachment to the agenda item when the Board meeting agenda goes live in August. (Glenn Vander Zee)

## 5. REPORTS

### 5.01 Presentation on the Information Technology Updates – Randy Phelps, Chief Technology Officer

Randy Phelps presented an update on upgrades and progress for the Information Technology Division and highlighted major sections including the Success, Tools and Assistance, Software Resources, Community Wireless, Safety, Munis, Network, Document Warehouse, Safety Cameras, Current Expenditure (Technology Measure I) and Major Initiatives ahead.

#### SUCCESS:

The transition back to school has been smooth. The students have been able to bring their devices back and forth between school and home. The staff has been able to keep the devices safe and maintain them in good condition. Community WiFi has been going strong and enabling students to get internet access. During the network upgrade within the James Lick community, there were zero network downtime, which is an outstanding achievement.

Parent access is expanding as we move from Schoolloop to Canvas, which is much easier to use. Randy Phelps pointed out the convenience of ARMS (Access Request Management System), where users can verify their identity and self recover their own account if they happened to lose their



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credentials. Once they regain access to ARMS, they should have access to their other accounts within ARMS as well, everything from Google to Microsoft, etc. ARMS also enabled copy cards for convenient printer access. Printers only print when the card is swiped. If the card is lost and report, it will be disabled; user will need to re-authenticate to receive a new card.

#### TOOLS & ASSISTANCE:

Randy Phelps went over the process of how devices such as Chromebooks and computers are assigned and repurposed. Incoming ninth graders get new Chromebooks. Teachers can choose if they want a PC or Mac. Quality products and having trust in the people who use them have proven to help prolong the life cycle of the products and how often people switch their devices.

We also put in high quality projections. We let staff pick what they want (Recordex, Apple TV, etc.) for their classroom and that has shown to help minimize people requesting to change their devices.

#### SOFTWARE:

We support about 80 software applications. All students have an opportunity to use Adobe Suites and Microsoft Office. We also upgraded outdoor WiFi and installed security cameras at the sites.

The students also have free online access to every major magazine and periodical. JSTOR, a repository for monographs and research studies, will be available in Fall for more advanced students and teachers who are looking to further their knowledge.

#### SAFETY:

We implemented new Bell and Paging systems with more flexibility for the sites. The use of Smart Card helps monitor people going in and out and is great for late night meetings.

#### MUNIS:

MUNIS is up to speed with implementation and has been a huge improvement for the district in terms of transparency and sharing information. It is going to automate our application processes. It provides resources from employees (HR Department) to freezers (Nutrition Department) to cars (Transportation Department). Our inventory process has been improved. Time sheets will be automated in early Fall.

#### NETWORK:

We have 10GB connection throughout the sites. New switching and routing systems have allowed for minimal outage. We continue to replace older equipment with improved, new devices for better connection.



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#### DOCUMENT WAREHOUSE:

We contracted with Sytech to scan all paper documents and convert them to Smart pdfs and clear out all the document containers in the warehouse.

#### SAFETY CAMERAS:

We started with 110 cameras per campus. The consultants walk with staff and principals to select the locations for the cameras. Cameras can now be accessed via mobile phone. Recordings are kept for 14 days. Camera system runs at 90% available. We also put visor on the cameras to avoid sunburn.

#### MAJOR INITIATIVES AHEAD:

District committee with volunteer members get to vote on new initiatives. We continue to think ahead, leverage our options, adopt and implement new software/products to help more students.

**Q:** What do you do with the returned/swapped computer? (Patrick Traynor)

**A:** We give people the option to buy the computer if they retire. If the computer is only a few weeks old, we reuse them. (Randy Phelps)

**Q:** Can you repeat the number of prints before and after? (Bryan Do)

**A:** We were a little over 33 million. We kept it right around 10 million since. (Randy Phelps)

**Q:** Number of projectors? (Barry Schimmel)

**A:** 115 (Randy Phelps)

**Q:** What are the sites that have outdoor WiFi? (Melissa Got-Lopez)

**A:** IH, WCO, YB. Upcoming: OG, PH, SC, AH. (Randy Phelps)

**Q:** When does your current technology bond run out? (Barry Schimmel)

**A:** Funds must be spent by 2027/29 (Randy Phelps)

**5.02** 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

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

Project continues to progress. The learning center/library is surrounded by academic student support spaces. We are looking to open the building in December.



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- **Foothill - Modernization of Building G**

Schedule: TBD (Board Approved 5/6/2021) – Estimated Total Cost: \$4,935,054  
Area: 6,690 square feet – Construction Team: Gilbane (CM), TBD

This project is currently in planning and design. The building provides food/service type space that is currently not available to the school site. It also provides showers/changing areas for students since they do not have the same facilities as those of the comprehensive high schools.

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

Schedule: May 2025 – Estimated Total Cost: \$18,444,202  
Area: 11,500 square feet – Construction Team: VPCS (CM), TBD

Building 500 is coming down. This indoor space will be the place to make food, serve food, and enjoy food that will bridge over to the Learning Center. We are in procurement to select the DBE builder.

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

Schedule: April 2025 – Estimated Total Cost: \$19,356,870  
Area: 12,000 square feet – Construction Team: VPCS (CM), TBD

The new building K will eliminate the existing window service and combine the food prep and dining area into a common indoor space where food will be made, served, and enjoyed.

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

Schedule: September 2024 – Estimated Total Cost: \$17,871,012  
Area: 10,500 square feet – Construction Team: VPCS (CM), Gilbane Building Company/Perkins Eastman DBE

This project is currently in design. The music and drama departments will be housed in this new performing arts building. The existing building that these departments are currently occupying will be repurposed into a meeting/collaborative space.

**Q:** What is the green space between the buildings? (Cody Harkins)

**A:** This area is called the Senior Glen, which will be preserved when the new building is completed. (Julio Lucas)

- **Independence - New Student Union**

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



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

This project is currently in construction. The building will have the admin facility and music department. It will also have a learning center, a main dining hall, a conditioned indoor space to be utilized outside of classroom time.

**Q:** Is this scheduled to be completed September 2023? (Melissa Got-Lopez)

**A:** Yes. (Julio Lucas)

- **Silver Creek - Building K**

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

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

This project is currently in construction. It is a new two-story classroom building with five rooms on the top floor and five rooms on the bottom floor. It is much more open to the outdoor environment.

**Q:** Is this scheduled to be completed September 2023? (Melissa Got-Lopez)

**A:** Yes. (Julio Lucas)

- **Santa Teresa - New Building**

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

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

Referencing the tour of the construction site the CBOC just had, Julio Lucas pointed out the location of the building on the aerial picture on the presentation and reiterated that the new building consists of five classrooms and a makerspace.

- **Evergreen Valley - New Student Union**

Schedule: November 2022 – Total Cost: \$22,898,923

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

The new student union connects the existing Cougar Hall and Library into one big space that consists of a dining hall, a learning center, and the surrounding admin and student support spaces.

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



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Schedule: August 2024 – Estimated Total Cost: \$20,039,126  
Area: 19,430 square feet – Construction Team: Gilbane (CM), TBD

We are currently in the procurement process, looking to select the best design builder to complete the project and deliver a building that meets the program goals without exceeding the budget amount.

- **Yerba Buena - Ball Field Improvements**

Schedule: September 2023 – Estimated Total Cost: \$9,500,000  
Area: \_\_\_\_\_ square feet – Construction Team: Gilbane (CM), Robert A. Bothman Inc./ Lloyd Engineering, Inc. DBE

The construction contract is with Robert A. Bothman. This will be a synthetic turf baseball/softball field.

**Q:** How long is the project in Santa Teresa? (Carol Pefley)

**A:** One year (Julio Lucas)

**Q:** Construction during instruction/school time is not too loud? (Cody Harkins)

**A:** We tried to work during testing to avoid the noise. (Julio Lucas)

#### **5.03** 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 March 2022 thru May 2022. This report goes to the Board for approval of adjustments to a project budget on a monthly basis if needed.

**Q:** Why is there a \$100K of the budget moved? Since \$100K was moved out of the DW Security Cameras project, did something not get done? (Barry Schimmel)

**A:** Budgets are established at the beginning and over time, minor budget adjustments are made to meet the needs of the Program. No, the Security Cameras got done so we were safe to move the budget to another project that needs the funding. (Randy Phelps)

#### **5.04** 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 May 31, 2022. A summary of





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the overall budget, including the total current encumbrance balance, total expenditures/disbursements, and total remaining budget balance, was presented.

Chair Barry Schimmel commented that this report is available to the public (via BoardDocs).

**Q:** Does the report account for all authorized bonds? (Khoa-Paul Pham)

**A:** Yes. (Cathy Nguyen)

*Public comment:* Mr. Larsen expressed his concerns on how all bond measures expenditures were combined in this report. He recommended that ESUHSD Citizens' Bond Oversight Committee members reach out to the CABOC organization for information/guidance on their roles and responsibilities. He is also recommending that some invoices be pulled and reviewed by the CBOC.

Chair Barry Schimmel reiterated that the District hires firms to complete yearly audits and report back to the board. There is an difference between oversight and audit function.

*Public comment:* Mr. Larsen stated that there is no Citizens' Bond Oversight contact information (Email) on the District website.

**C:** We will look into this. (Barry Schimmel)

Comment from Vice Chair: We do have an email for the CBOC, which goes directly to the Chair's and Vice Chair's personal emails. This allows the public to reach the CBOC.

Motion to accept the Budgets and Expenditures Report was made by Christopher Roberts and seconded by Patrick Traynor. Motion was carried ( 7– 0). Aye. The motion passed unanimously.

### 6. CONFIRMATION OF NEXT MEETING LOCATION

**6.01** Confirmation of Meeting Location for Next Meeting: Wednesday, October 19, 2022 @ 6:30 p.m. (TBD)

The next meeting will be on Wednesday, October 19, 2022 at Silver Creek High School at 6:30 p.m. The tour of the current construction site will begin at 6:00 p.m.

### 7. ADJOURNMENT

**7.01** Chair Adjourns the Meeting

Motion to adjourn was made by Christopher Roberts and seconded by Patrick Traynor.



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(CBOC)**

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Chair Barry Schimmel adjourned the meeting at 8:34 p.m.

Minutes approved by: MELISSA GOT-LOPEZ *Melissa Got-Lopez*  
Print Name Signature

Oct 20, 2022  
Date







# 2022 0720 CBOC Meeting Minutes

Final Audit Report

2022-10-20

Created:	2022-10-20
By:	Nhu Nguyen (nguyennq@esuhsd.org)
Status:	Signed
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