

Fremont Unified School District
2014 Measure E
Citizens' Bond Oversight Committee

Meeting Minutes

Professional Development Center
November 1, 2017

- Call to Order:** Meeting called to order at 7:08pm.
- Attendance:** (Quorum)
- Members Present:** Jeff Bowen, Kathryn McDonald, Chip Koehler, Bryan Gebhardt, Sunil Pandey, Soraya Torres, Ashok Desai
- Members Absent:** Carla Cox, Kathy Lang Newman (excused)
- FUSD Staff Present:** John Chwastyk, Director of Facilities and Construction; Mike Hall, PIO, Facilities and Construction
- Others Present:** Aaron Kael, Vanir Construction Management

Welcome and Introduction

Bryan Gebhardt welcomed Sunil Pandey as a new member of the CBOC, and Sunil introduced himself to the Committee.

Approval of Previous Month's Minutes

Bryan Gebhardt noted that, with four members in attendance, the Committee had no quorum at the October 4, 2017, meeting at Brookvale Elementary School and therefore was unable to vote on the minutes. The Committee decided to bring back the October 4 minutes to the December 6, 2017, meeting for approval if there is a quorum. The Committee approved the minutes from its September 6, 2017, meeting.

Term Length Selection

John Chwastyk noted the recent resignation of Sally Morgan from the CBOC, leaving six (6) Committee members to make term length selections. Term lengths were determined by having Committee members in attendance draw folded slips of paper noting term durations. The following selections were made based on the blind draw:

- Jeff Bowen – 2 years
- Bryan Gebhardt – 3 years
- Sunil Pandey – 3 years
- Chip Koehler – 2 years

Bryan Gebhardt drew term selections for absent Committee members:

- Carla Cox – 2 years
- Kathy Lang Newman – 3 years

John Chwastyk noted the term limits of six (6) years in response to Kathryn McDonald's request for confirmation of the limits.

Community Outreach

Bryan noted publication of the October 25, 2017, Board of Education (Board) meeting update among ongoing forms of community outreach.

Oral and Written Communications

Bryan Gebhardt noted that Board will appoint a replacement for Sally Morgan. Alternate Ashok Desai expressed interest in applying for senior membership on the Committee. John Chwastyk noted that Ashok could apply for the open seat and that the District has two CBOC applications on file and is contacting those applicants about their interest in the opening. It was suggested that Ashok should self-identify as an

existing CBOC member on his application. After the meeting it was determined that since Ashok is already a CBOC Alternate, he can directly move into the position of Member-Senior Citizens' Organization.

Discuss Measure E CBOC Annual Report

Bryan Gebhardt noted the 2016 Measure E CBOC Annual Report was delivered to the Board on January 11, 2017. John Chwastyk noted that the Board meets once each in November and December. It was asked how the Committee presentation is included in the Board meeting, and John Chwastyk responded that District Staff prepares the agenda item for inclusion. He also noted that agenda items are finalized two (2) weeks prior to the Board meeting and that District offices are closed the last two weeks of the year and recommended that CBOC prepare a final version of the 2017 Measure E CBOC Annual Report by December 13, 2017.

Bryan Gebhardt presented the past 2016 Measure E CBOC Annual Report (PowerPoint) and highlighted major sections including the CBOC's purpose, key achievements, Measure E priorities, summary of completed Measure E projects, school groundbreaking and openings, and CBOC concerns. Bryan noted that the Board reaffirmed the CBOC's oversight role in the August 23, 2017, Board meeting and mentioned the Facilities Advisory Committee to be formed by the Board.

Bryan asked the Committee if it wanted to use the same format for the 2017 presentation and reminded the Committee that it is prohibited by the Brown Act from discussing the presentation via email as a full group, but individual members can communicate with Bryan as needed. Chip Koehler asked if any projects had significantly changed in scope during 2017. The Committee cited the American High School HVAC and Walters Middle School Conversion projects. Kathryn McDonald asked about the final decision on the Mission San Jose High School replacement project. Aaron Kale noted that no final Board decision has been made and that the Board asked Staff to conduct more study and return to the Board with options to the original project at the December 13, 2017 Board meeting.

John Chwastyk noted that the Board decided against acting on Horse Property planning at the September 27, 2017, Board meeting, enabling the Centerville and Thornton Middle School Conversion projects to move forward as planned in Measure E.

Kathy McDonald recommended creating a master list of projects and improvements at every campus to better align community expectations with the specifics of project deliverables. Aaron Kale noted that at District high and elementary schools, where project investments are less than at Middle Schools, much of the money is spent on projects with no or low community visibility such as infrastructure improvements including new sewer lines or repaved parking lots. Kathryn McDonald responded that a master list would help raise community visibility of these projects. Bryan Gebhardt observed that CBOC needs to consider strengthening community outreach, citing increasing community concerns, and recommended direct dialogue with the community, questioning whether the master list would meet its needs.

John Chwastyk cited the new Facilities and Construction Facebook page and plans for a Measure E blog as ways the District is improving community communications, and acknowledged that Measure E is a program that warrants considerable public awareness.

Update on Board Actions

October 11, 2017

- Received financial status update on the 2014 Measure E Bond Program as of June 30, 2017. Staff reported that projects are proceeding according to the timeline and budgets outlined in the implementation plan, or as subsequently revised by Board action. Staff and consultants bring the latest financial report to the Board every quarter.
- Authorized the creation of a Facilities Advisory Committee charged with anticipating District facilities needs and helping to plan for growing or declining student enrollment. The committee will be composed of the following:
 - Five (5) parents, one from each attendance area
 - Five (5) community members
 - One (1) representative from each bargaining unit
 - One (1) student member
 - One (1) parent member from a school not represented in an attendance area

- Received staff update on the Walters Middle School conversion project that completion of construction will be delayed three (3) months to November 2018 in order to comply with the California Environmental Quality Act (CEQA). Under CEQA, an enhanced level of soil testing is required by the Department of Toxic Substances Control (DTSC) as part of an Environmental Impact Report (EIR). The duration of the construction schedule remains unchanged, but the start of construction will be delayed because of the extra time needed to perform the soil testing and review.

The Board directed staff to proceed with the second of two (2) options for addressing the delay: Postpone the middle conversion to Fall 2019 and continue construction upon DTSC approval, which also allows more time to further develop the Science, Technology, Art, Math and Engineering (STEAM) program at Walters Middle School. The first option called for installing temporary classrooms, continuing the conversion on schedule for completion in Fall 2018, and resuming construction upon DTSC approval – an approach that would have added approximately \$2.5 million in project costs.

- Authorized staff to enter into an agreement with Roebbelen Construction Management, for construction management services for Grimmer, Oliveira and Mission Valley Elementary Schools modernization projects.
- Received staff update on the Mission San Jose High School pool replacement. The current estimated project cost increased to approximately \$8,097,382, which is \$3,935,000 over the project budget. The project cost increase is due to Division of State Architect (DSA)-required changes.

The Board directed staff to return at the December 13, 2017, Board meeting with the following three alternatives to the current plan and their respective costs:

- Replace the Mission San Jose High School pool as planned and share the new pool with Irvington High School
- Repair rather than replace the Mission San Jose High School pool
- Replace the Irvington High School swimming pool and share the new pool with Mission San Jose High School
- Received applications and selected members for the 2014 Measure E Citizens' Bond Oversight Committee (CBOC).

October 25, 2017

- Approved the Centerville Middle School conversion and modernization project, in the amount of \$67.6 million. Board approval of the project means comprehensive improvements will be made to the school including:
 - New administration building and physical education facility
 - New classrooms
 - Reconfigured library
 - Comprehensive upgrades to the school's Information Technology (IT) and safety infrastructures
- Authorized staff to negotiate and enter into three (3) agreements for architectural services for the Kennedy, Mission San Jose and Washington High School modernization projects. The modernization projects will not address any changes to the student capacity at the schools.
- Approved final Change Orders with Vanden Bos Electric, Inc. for the construction of Priority 4, Package 4, and Priority 4, Package 2 - Information Technology (IT) Upgrade Projects at various schools, resulting in project cost savings of \$285,253.
- Authorized staff to amend agreement with Inspectacon for construction phase project inspector services for the Priority 2, Package 4 – IT upgrade project at Washington High School.
- Authorized staff to amend the agreement with Jerome Zalinski for construction phase project inspection services for the Priority 2, Package 2; Priority 4, Package 1; and Priority 4, Package 3 – IT upgrade projects at various schools.
- Authorized staff to amend the agreement with DSA School Inspectors for construction phase project inspector services for the Priority 2, Package 3 - IT upgrade projects at Blacow, Chadbourne, and Durham Elementary Schools.

Monthly Status Report

- At American High School a PG&E delay in installing power infrastructure has put the new classroom buildings occupancy date at risk. The summer North Bay wildfires have placed heavy demands on PG&E human and equipment resources, compromising the utility's ability to keep pace with projects it sees as lower priority. Staff is closely monitoring the PG&E situation. In the meantime, a power generator has been rented to help minimize the impact of the PG&E delay, to allow testing of electrical systems in the new classroom buildings.
- The Brookvale and Patterson Elementary Schools are wrapping up, three (3) elementary schools – Grimmer, Mission Valley and Oliveira – are in design, and more elementary schools are expected to enter the design phase in January.

Kathy McDonald voiced her concern that the North Bay wildfires could reduce construction materials and labor availability locally and possibly impact District projects. Aaron Kale noted that California homebuilders pose no threat to District materials and labor resources and that rebuilding efforts from the 2017 Atlantic hurricanes are the bigger concern, with an outside impact on labor and materials.

Bryan Gebhardt noted the upcoming Board study session on December 9th focusing on facilities.

Kathy McDonald asked for clarification and elaboration on Walters Middle School Conversion project delay. Aaron Kale explained that the Environment Impact Report (EIR) is complete but that the District has encountered a stumbling block with the Department of Toxic Substances Control (DTSC). The EIR revealed that Walters Junior High School site was previously used for agricultural purposes. DTSC subsequently required an enhanced level of soil testing and review that will delay the project completion by three (3) months to November 2018. The duration of the construction schedule remains the same, but the commencement of the construction will be delayed due to the extra time needed to perform the soil testing and review.

Aaron Kale noted that samples taken at the site have shown that the soil is within allowable limits.

Aaron Kale supported Kathy McDonald's assertion that historically there's no evidence of soil contamination at dangerous levels. He observed that children have played in the Walters Junior High School fields and neighbors have lived in the area for the past 50 years without harm from the soil but underscored the stringent path to legal compliance under the California Environmental Quality Act (CEQA), requiring thorough soil testing because of the site's former use for agricultural purposes.

Aaron Kale noted that the Walters School Middle School Conversion project is proceeding as planning, with bidding underway on the new classroom buildings. He added that, in the unlikely event DTSC soil testing reveals toxin levels exceeding allowable limits, the project could be delayed

Kathy McDonald raised questions about competing interests for a new high school swimming pool in the District and whether Mission San Jose High School had the greatest need. John Chwastyk pointed to the two-week survey the District will launch on Friday, Nov. 3, 2017, to solicit opinions on the Mission San Jose High School swimming pool replacement project and several alternatives the Board will be considering. Mike Hall described the online survey that will be sent to the Mission San Jose High School/Hopkins Junior High School and Irvington High School/Horner Junior High School communities. Survey results will be tabulated and reviewed by the Board prior to the December 13, 2017, when Staff will present cost estimates and other details on alternative solutions.

Review of Future Meeting CBOC Dates, Topics and Board Calendar

Bryan Gebhardt called on the Committee to form a subcommittee to develop the 2017 Measure E CBOC Annual Report and asked Mike Hall to send the 2016 Measure E CBOC Annual Report to the Committee. Bryan Gebhardt and Kathryn McDonald volunteered to serve on the subcommittee.

Respectfully submitted by: Mike Hall
Public Information Office, Fremont Unified School District, Facilities and Construction