

# Berkeley Unified School District

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## FACILITIES PLANNING DEPARTMENT

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Minutes of the Meeting of October 27, 2011

Members Present: Susi Marzuola Stephanie Allan Carl Bridgers Nicolie Bolster-Ott  
Eric Weaver Allen Nudel

Board Members Present: Josh Daniels, Director

Staff Present: Lew Jones, Director of Facilities  
Chanita Stevenson, Administrative Coordinator

Consultants Present: Rebecca Hayden, Baker Vilar Architects  
José Vilar, Baker Vilar Architects  
Mike Van Pelt, Van Pelt Construction Services  
Bob Fawson, Van Pelt Construction Services

Members of the Public: Mathison Ott Richard Boyden Roy Meisner Robert Wolf

1. *Call to Order:* The Meeting was called to order at 6:19PM.
2. *Approval of Meeting Minutes:* Member Bolster – Ott requested that in item 10 that the word “report” be changed to “questions regarding the BCT accessibility project to Lew and he provided written answers to the committee.” Additionally, after the memo to the Board that the following be added, “and convey the committee’s recommendation to reactivate the BHS site committee and a BCT site committee.” A motion was made by Secretary Weaver to approve the minutes as amended. The motion was seconded by Member Bolster-Ott. The motion was carried unanimously.
3. *Public Comments:* Richard Boyden, BHS graduate and parent of a football player, voiced concern over the Berkeley High School Stadium. He questioned what type of contract did the district have with contractor and how many people would be required to finish the project in a timely manner. He questioned Staff about the project and communication plan to the BHS Community. Mr. Boyden, stressed that the community would like to have the project done by the beginning of 2012-13 school year. Mathison Ott, BHS graduate, stated there is a lot of dust in the Community Theater and there is a show scheduled for tomorrow evening. Robert Wolf, architect/project manager and Berkeley High School parent of a student athlete noted that there has been a lack of communication to the parents regarding the project. He encouraged the district to work with project managers so that the Old Gym is demolished during the summer for the safety of the students.
4. *Staff Report*
  - Project Labor Agreement: The Board approved a Project Labor Agreement, copies were distributed to the committee. This Project Labor Agreements will provide assistance for CTE. There are a few future small projects in Measure I that will not be governed by the PLA.
  - Berkeley Community Theater: The project began later than expected because of delays from the Division of the State Architect. There have been issues with the contractor due to cleanup and there have been a few design issues. The Superintendent and Lew Jones met with WLC, to initiate resolving issues with the vestibule discovered by committee member Bridgers related to sound and light. The accessibility lawsuit required that the lift be placed in the location for settlement purposes. The committee had further discussions regarding the project and expressed concerns regarding light and acoustics to staff. Staff responded that there may need to be a small follow on project to address some issues. However, staff also stated that this project does not address many building issues. Those improvements will be done at a future date.

5. Report from Project Tracking/Audit Committee from Co-Chair Marzuola and Secretary Weaver
- Co-Chair Marzuola discussed the proposed changes to the monthly and quarterly reports. Staff has created a draft that incorporated their comments. The sample was distributed to the committee at the meeting. The Committee expressed appreciation for the draft. Staff requested additional feedback within the next two weeks on this document. The plan is to have the revised document go to the December Board Meeting.
  - Co-Chair Marzuola also discussed proposed changes for the quarter report which would include a sum total for both bond measures and for this information and summary scheduled to be displayed graphically. Staff explained that the financial information is already contained in the quarterly report, but the schedule information is not. Staff is open to trying to implement the suggestion, but has not thoroughly reviewed it.
  - Co-Chair Allan has requested Staff to provide an update at the December meeting.
  - Secretary Weaver said that he and Member Goldin met with Board Director Daniels to get clarification on how QSCBS funds caused the project shifts from Measure AA to Measure I. Secretary Weaver stated that the conversation eased some of their concerns, but that he would like a written statement from Bond Counsel to explain these facts and to show that the committee has done their due diligence in this area.
  - Secretary Weaver reported that they planned to meet with the District Audit Committee, but instead met with Deputy Superintendent, Javetta Cleveland. He plans to discuss the notes from this meeting with the Audit Committee to make recommendations on how the committee should proceed. He urged any members if they have questions to contact any of the members of the Audit Committee.
6. Berkeley High School Discussion
- Lew met with the Superintendent and the Principal at BHS regarding how to improve communication on construction projects and the closure of the Old Gym. It was decided at that meeting that Kristin Glenchur, BHS Vice-Principal, with the assistance of facilities, will send out a weekly Construction Update on the BHS E-tree.
  - The Superintendent and Lew also discussed the creation of a BHS site committee with the Principal. Co-Chair Allan asked if committee members can be a part of the committee if their children have already graduated BHS. Staff explained that the Principal will make that decision. People who are interested in applying to the Site Committee should submit an application to Richard Ng, principal's assistant. Board Director Daniels added that Site Committee is not a Brown Act Committee and the prime goals of the site committee were stated in the email communication.
  - There was a discussion regarding the Berkeley High School Stadium Project. At the October 12<sup>th</sup> Board meeting, the Board authorized the default termination of the contractor. Staff explained that the District has been meeting regularly with the contractor and has been requesting recovery schedules as it became apparent that he was behind. The contractor has not been default terminated yet, but it has been authorized and may occur. Staff explained the various options on how the district could proceed regarding this contract. The first option is to default terminate the contractor, which may take the longest to complete the project. The second option could have the surety assist the contractor in finishing the job. The third option would include removing scope of work from the contractor and giving it to a different contractor. The preferred option at this point is to have the surety assist the current contractor.
  - A question was posed to staff regarding the Old Gym. Staff explained the history regarding the Old Gym and the structural safety of the building. Staff mentioned multiple reports that explained the structural character of the building. These reports were produced in 1991 and 2001. These reports also informed the South of Bancroft Plan, as the District felt that there was no reasonable way to retrofit the building. The previous Superintendent had concerns about keeping the building open, but ultimately decided not to close the building. The Superintendent personally reviewed the reports and made the decision to close the building. These reports were assembled as a response to a liability and accessibility lawsuit concerning the Old Gym.

7. *Next Meeting:* Our next meeting is scheduled for November 17<sup>th</sup>.
8. *Adjournment.*
  - The Committee adjourned at 7:59 PM.