

## Draft Meeting Minutes of April 27, 2021

**Members Present:** Sheryl Drinkwater, Carla Schneiderman,  
Wade Skeels, Ken Berland, Alejandro Pimentel, Laura Babitt

**Staff Present:** John Calise, Carol Pacheco, Chanita Stevenson

**Guests Present:** Alejandro Pimentel, Charles Raibley

1. Call to Order: The meeting was called to order at 5:04 PM.
2. Presentation by Crowe LLP regarding the Audit
  - a. There were no findings presented relating to the financial audit
  - b. There were no findings presented relating to the performance audit
  - c. Member Park asked why some salaries are acceptable to be paid out of the bond. Charles Raibley noted that those staff work directly on bond projects as part of their duties.
3. Public Comments: No public Comments were submitted.
4. Approval of Meeting Minutes from December 15, 2020, approved at 5:34 PM.
  - a. Motion by Member Drinkwater
  - b. Second by Member Schneiderman
  - c. Motion carried
    - i. No response from Member Burland
5. **Action: Review and Approve the Financial Audits for Measure I General Obligation Bonds for the Year Ended June 30, 2020**
  - a. Reviewed and Approved at 5:35 PM
    - i. Motion by Member Drinkwater
    - ii. Second by Member Schneiderman
    - iii. Motion carried
6. **Action: Review and Approve the Performance Audits for Measure I General Obligation Bonds for the Year Ended June 30, 2020**
  - a. Reviewed and Approved at 5:36 PM
    - i. Motion by Member Drinkwater
    - ii. Second by Member Schneiderman
    - iii. Motion carried
7. **Discussion: Topics for the Annual Report**

- a. It is nice to have the projects listed, Member Drinkwater would like it updated for next meeting.
- b. Several members have requested tours of the sites. John suggested touring the theater project.
- c. Project activities that may come under review, we will look for updates next meeting.
- d. Member Park will email his comments regarding requested clarifications.
- e. Member Park asked for an effectiveness audit. Is the money being spent effectively; an example the Berkeley Street Parking Garage has excess spaces, the need to build the BHS parking structure may be not needed. The money may have been spent accordingly to law but there may be lessons learned. John replied that these items are addressed during the subcommittee meeting; was there an error, are the projects valid, etc. While the idea is a positive one, John is not sure how to quantify the data requested. The performance audit checks to be sure the checks and balances are in place and are working effectively.

#### 8. Committee Member Comments

- a. Member Park asked about revising the way agenda is prepared and distributed. District will send out draft agenda a week earlier and Member Drinkwater will share with other members.
  - i. Committee members were advised that reply-all on an email with all members is a violation of the Brown Act, as it represents a quorum. Members must reply individually to the sender of the email.
- b. Member Skeels asked why not able to meet every six weeks and in-person? He expressed a feeling that the committees lost touch with the program details. He is looking forward to hearing what is going on, what projects are coming up. John replied that a slide presentation can be shared at the next meeting and that there will be a meeting next month to prepare the annual report. Discussion of future cadence of meetings can be had at an upcoming meeting.
- c. Member Park asked if they could meet without staff present? Member Schneiderman confirmed with staff that any time they met they do have to notify the public, per the Brown Act. Having a staff member present means that they will send the notifications and take notes. John remarked that the members primary responsibility is to review the audits and expenditures as well as present the annual report to the Board. Further expansion of roles and or outside discussions run the risk of being in conflict with educational code and state law.
- d. Member Park asked the date the opinion was sent to the District and if it is normal to not find any trouble? Why was the document received by the District and not received by the members at the same time? John noted that COVID restrictions on office staff working in person had an impact. He also noted that clean audits are common, but findings also have occurred at several districts. Member Drinkwater noted that clean audits have been the standard during her time on CBOC.
- e. Member Park asked if they were going to make an effort to fill out the rest of the committee. Chanita replied that they are looking for a business owner. Member Drinkwater asked if she could take the business slot and can they find another community member to fill the at large slot.

- f. Trustee Babitt asked if there were any major covid expenditures during the period of the last audit. John replied that there will be covid spending that shows up in the 2021 audit.
  - g. Member Park asked why VPCS folks were on the call. John described the scope of services including design and construction management, augmentation of facilities team.
  - h. Member Skeels asked for the description of member responsibilities. He asked for this to be added to an upcoming agenda. John replied that DWK (legal counsel) can come to June meeting to give an update. Member Park asked to see language and discuss next meeting and then have someone present to them later. John advised against discussion of roles and responsibilities prior to the a presentation by DWK, as it could result in a desire to expand the committee's role outside legal parameters.
  - i. Member Skeels asked for the ballot language for measures I, H, and G to be distributed to the members. Staff confirmed that it will be sent to the members and noted that the bond language is on the website.
  - j. Member Skeels asked if the District was able to use bond money on the air quality projects? John replied yes although the redundancy testing by the environmental engineer is not paid for via bond funds.
  - k. Trustee Babitt shared that a parent came to the board meeting about BHS building C not having air circulation. John shared that the Merv 13 is the standard set by the state and all BUSD classrooms are at Merv 17. In locations such as building c where there is no forced air, air purifiers have been put to use.
9. Staff Report:
- a. A lot of projects are wrapping up.
    - i. Berkeley community theater is ongoing.
    - ii. Increment 1 and 2 are in progress.
    - iii. Rosa Parks is underway; the roof repairs are complete.
    - iv. Both cafeteria projects are going to DSA to be closed.
    - v. The lock replacement project will start closeout next month.
    - vi. West Campus is in the punch list stage, but the follow-on project will occur shortly.
    - vii. Transportation electrical bus changing station project is close to completion.
    - viii. The indoor air quality project is nearing completion.
10. Future Meeting Dates: Next meeting date May 18, 2021
11. Adjournment: The meeting adjourned at 6:26 PM.