

Meeting Minutes of May 24, 2022

Members Present: Damian Park, Carla Schneiderman, Wade Skeels, Ken Berland, Alejandro Pimentel and David Goldin

Staff Present: John Calise, Chanita Stevenson and Carol Pacheco

Guests Present: Kelli Jurgenson, Chris Moreno and Charles Raibley

1. Call to Order: The meeting was called to order at 6:04pm

Roll Call: Members Park, Skeels, Berland, Schneiderman, Pimentel and Goldin All Present

All Staff Present

2. Approval of Agenda: The agenda was approved at 6:06pm

Motion to approve the agenda by Member Schneiderman (CS)

Second to approve by Member Berland (KB)

All in favor

Motion Carries

3. Public Comments:

- a. Kathy Campbell, is a 35 year veteran of public education who retired in June. She taught in Berkeley public schools for over 25 years and for 14 of those years was the Vice President or President of the Berkeley Federation of Teachers. "I appreciate the opportunity to talk with you tonight. I just wanted to provide a little bit of history and some context around the project at Milvia Street related to parking for staff and tennis courts for our students." There are four things she has written down so she would not forget. "I wanted to really reassure this body that there was an extremely extensive and transparent process to determine the Marquee Projects for the Measures that are being used to fund this project. We met weekly for at least a year which involved our tennis advocates, involving our staff, involving our tennis advocates, involving our founders, and caretakers, involving our City Council Members, and city leaders. It was quite a process and what we came up with was a thing that most people could support. We made a very clear promise to our voters to complete this project. I want you to know there are lots of public records including meeting minutes and videos and school board meeting videos that would show this to be true. I want you to know all the alternatives were deeply explored and all lead to dead ends. This includes parking permits. We were told no, no, no, and no. This is an extreme pain point for my members and classified staff at Berkeley high school. We looked at City garages, and it is important to note that Bond money cannot be used to pay for parking so this would have to come out of the General Fund and that fund is under extreme stress". The last thing she would like to say is the issue of teachers and staff and the problem with retention and recruitment. BUSD is in

the bottom percentile for retention and recruitment in Alameda County and it has only gotten worse during the pandemic. Not fulfilling this project would only make it worse over time.

b. Douglas Legg is a parent of two sixth graders at Willard Middle School and he's also a deputy city administrator for the City of San Francisco and oversee capital planning for projects there. He also was involved in the oversight of a bond in San Francisco overseeing the addition of 25 branch libraries. He has spent the past 25 years of his career in project planning and also project development and project delivery mostly in the financial side of things. "I just learned of this project involving parking and this project in particular. I realize it was on the measure that I voted for and I had no idea I was voting for parking to be honest. I voted for other really important seismic measures and upgrades to facilities that the school district needs and has been doing an excellent job delivering. Paying for building new parking spots at an extremely high cost I really do not think makes sense. I recognize the work that the district did years ago, but things have really changed dramatically during the pandemic. The city constructed a parking garage right near the high school and they are using less than half of that structure." With commutes changing and peoples work schedules changing, he believes the city will never be able to fill the garage and that BUSD should look at revisiting making a deal with the city. He recognizes that the bond money would not be allowed for this expenditure, however, he thinks there can be ways that capital expenditures can be used for other expenditures and the parking fees would then come out of the general fund. He thinks it is worth trying to approach the city to see if it would be possible to buy a portion of the garage for teachers and staff because they also have great needs and they will be interested in looking for ways to get out of their long term financial obligations. He thinks now is the time to start looking at other alternatives.

No other members of the public at this time.

c. Chair Damian Park (DP) would like to ask a clarifying question- is it possible to lease or buy properties with bond funds?

d. Executive Director John Calise (ED JC) answers, "You're allowed to lease things such as portables while you're doing construction. Otherwise it would need to be specifically called out in the bond that it was planned to go into long term leasing. We can't use bond funds to pay for a lease into perpetuity. That is according to our bond council."

e. Kelli Jurenson (KJ) makes a request to bump the Parking Agenda Item to the top to accommodate ED JC with another meeting he is scheduled to attend.

f. The Committee agrees with this request and proceeds to the Discussion for Tennis and Parking with Plant Ops Project.

4. Discussion: Committee Comments - Tennis and Parking Structure with Plant Ops

- a. DP states that there should be something written by the CBOC, " in the Annual Report that says that the district did not fully vet alternatives".
- b. KB moves that, "we draft a statement to the effect that we would like more information on parking and that the issue of parking has changed over the past seven years." And with regards to the Plant Ops there has been very little community engagement - this is a totally new project and concern regarding traffic etc needs to be addressed.
- c. Board Director Ty Alpers (BD TA) wants the committee to know that the board has asked for a presentation to be put forth on the Plant Ops matrix on how this project would work, to

be presented at the next Facilities Subcommittee Meeting for better understanding and for the public to be able to see.

- d. DP would like to draft a statement between now and the next CBOC meeting to be put to a vote regarding Plant Ops in particular.
- e. CS thinks KB and DP should be attending the Subcommittee meeting to get the information they need to answer some of the questions they have.
- f. KB thinks it makes sense to attend that meeting.

5. Approval of Meeting Minutes from April 19, 2022: Approved at 6:54pm

Motion to approve the meeting minutes by CS

Second to approve by KB

All in favor

Motion Carries

6. Presentation/Discussion:

- a. Charles Raibley from Crowe LLP will discuss the Measure I and G Financial and Performance Audits for the year ending June 30, 2021
 - i. Mr. Raibley goes through the financial statements first - he gives a clean opinion and that there were no financial irregularities.
 - ii. The pages that follow are clarifying the financial statements.
 - iii. The very last pages are on the government standards of opinion.
 - iv. The last statement is that there were no irregularities.
- b. DP asks if C. Raibley (CR) can summarize in one sentence what were the financial audit findings for the measure I and G audits?
- c. CR replies, " The financial statements were fairly stated. Based on our audit the statements are correct."

7. Action: Draft / Approve the 2021 Annual Report

- a. DP has put together a summary of the report and he would like to make a request of the board to see an effectiveness report. Does anyone else agree with that? He is suggesting something to the effect of, "you used the money for this, but it's not being used. A theater for example, or a kitchen". A sample of what the funding had been used for. He thinks that if things are being built but not being used that would be interesting to know.
- b. WS thinks a "cost per student" would be an interesting metric to know.
- c. KB thinks looking at the audits of the past would help to clarify that. "How do we rate in comparison to other districts?"
- d. CS is assuming there is a process to quantify the metrics associated with the costs to complete projects.
- e. KJ replies that the costs of a project are completely regional depending on the area just as it would for the cost of your home. Comparison to other districts on what it costs to build a classroom would be something she could provide to highlight what the anomalies are. There are varying factors including PLA etc.
- f. Action: KJ will work on getting information to compare a classroom build, for example.

- g. CS wants to highlight that the website has been updated with much more information for citizens to review and be informed on how the district is spending the money. She thinks it's important to let the public know the committee is committed to transparency.
 - h. Action: DP will write up the annual report and CS will send a summary on the website to DP and reference an existing document, or include the financial audit summary as well.
8. Discussion: CBOC website content/organization
- a. Action: KJ will update the CBOC website with the guidelines
9. Information/Discussion: Facilities Staff Reports
- a. Financial updates, including all significant change orders since June 2021
 - b. DP asks KJ at future meetings to give 3 reports she suggests.
- ~~11. Discussion: Project prioritization, bike parking and bathrooms vs Theaters and kitchens~~
- ~~a. Why are some essentials pushed to the back of the line? Or, how important is "community engagement" when the priority list is already mostly finalized?~~
12. Discussion: Next Meeting dates
- a. What should our meeting schedule be for the next year?
 - i. Action: a Doodle Poll to be sent out to members to finalize the next upcoming meeting dates.
 - b. For the meeting that will be scheduled for a vote to move these CBOC meetings to virtual over Zoom KJ will discuss with ED JC and reach out to DP.
13. Adjournment:
- Motion to adjourn the meeting by DP
 - Second to adjourn by CS
 - All in favor
 - Motion Carries
- The meeting was adjourned at 7:34pm