



Berryessa Union School District  
**BOND OVERSIGHT COMMITTEE MEETING**

**AGENDA**

Wednesday, November 28, 2001

7:30 p.m.

Berryessa Union School District Office  
1376 Piedmont Road, San Jose, CA 95132

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**I. CALL TO ORDER AND ROLL CALL**

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**II. AGENDA ITEMS**

*Items to be added or deleted according to G.C. 54954.2*

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**III. CONSENT AGENDA**

**APPROVAL OF AGENDA**

**APPROVAL OF MINUTES** *The Committee will review the minutes of the August 29 and September 26, 2001 Meetings for any adjustments and adoption.*

**PUBLIC COMMENTS**

**BOARD CONSIDERATION**

**ACTION**

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**IV. COMMENTS FROM THE PUBLIC ON ITEMS NOT ON THE AGENDA**

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**V. REPORTS**

**A. Staff Reports**

**1. Financial Information**

*The Committee will review the financial information.*

**PUBLIC COMMENTS**

**COMMITTEE CONSIDERATION**

**INFO**

**2. Ruskin Roof Replacement**

*A Staff report will be given on the status of the project.*

**PUBLIC COMMENTS**

**COMMITTEE CONSIDERATION**

**INFO**

3. **Update on Restrooms**  
*A Staff report will be given on the status of the restrooms.*  
**PUBLIC COMMENTS**  
**COMMITTEE CONSIDERATION** INFO/ACTION
  
  4. **Status of Modernization Projects**  
*A Staff report will be given on the status of each of the current projects.*  
**PUBLIC COMMENTS**  
**COMMITTEE CONSIDERATION** INFO/ACTION
  
  5. **District Landscaping**  
*A Staff report will be given on the status of the project.*  
**PUBLIC COMMENTS**  
**COMMITTEE CONSIDERATION** INFO/ACTION
  
  6. **Update Piedmont Exterior Painting**  
*Discussion and committee consideration.*  
**PUBLIC COMMENTS**  
**COMMITTEE CONSIDERATION** INFO/ACTION
  
  - 6A - Community Meeting follow-up
  7. **Other**  
**PUBLIC COMMENTS**  
**COMMITTEE CONSIDERATION** INFO/ACTION
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**VI. ADJOURNMENT**

**BOND OVERSIGHT COMMITTEE MINUTES**  
**WEDNESDAY, SEPTEMBER 26, 2001**  
**DISTRICT OFFICE BOARD ROOM**

**CALL TO ORDER AND ROLL CALL:** The meeting was called to order at 7:35 p.m. Members of the Committee in attendance: Susan Cassens, Robert Garcia, William Hughes, Mary Larson, Dale Osborn, Pete Franz. District staff in attendance: June Rono, Pam Dayhoff, Margaret Galvin, Geraldine Harge. Guests: Leroy Christopherson, John Power, Diane Imbesi, Bruce Field, Diane Burkeen.

**APPROVAL OF AGENDA & MINUTES:** There was not a quorum so the minutes of the August 29, 2001, meeting were not approved.

**STAFF REPORTS - FINANCIAL INFORMATION:** June Rono stated that the financial information was not in the format that we expected so it would not be presented.

**RUSKIN ROOF REPLACEMENT:** June Rono stated the District is still pursuing replacing the HVAC system as well as replacing the roof and is still in the process of obtaining estimates.

**UPDATE ON RESTROOMS:** June Rono stated there is no update on the restrooms. The drawings are still at the Division of the State Architect. The project is expected to go out to bid in January 2002.

**STATUS OF MODERNIZATION PROJECTS:** June Rono distributed schedules for Laneview, Noble, Northwood and Ruskin dated 7/16/01. The new contract, Change Order #1, Rev. 1, includes all of the work in the Rev. A drawings which were approved in January. The District met with GenCon and negotiated those items. They have continued to fail to follow the schedules and are asking for more money from the district. They have stopped work at some schools on the items they have asked for more money. The District wrote a letter to the contractor and their attorney. The surety companies have been notified that the work was not completed that was included in the change order and we were considering them in default.

An option the District is looking at is choosing the contractor who did Piedmont and Toyon. The object is to complete the project as soon as possible. There has been some improvement in the drawings. There is no reason why discussions cannot be taking place with another contractor. It may take more than one contractor to complete the projects more efficiently. It was stated that a lot of contractors do not have the ability to obtain the performance bond that is required for school districts.

Guests asked if the multi and library could be put at the beginning of the schedule. Guests asked what the bids were as compared to the cost estimation. The contractor has been given notice to follow the schedule and we will consider the contractor in default if they fail to do so and then we would get a new contractor. Some contractors believe that school districts have deep pockets. If GenCon does not get back and finish the job the District will claim them in default. The District will not consider any more delays.

GenCon could stay on the project if they stayed on schedule. There was a design issue but the architect will continue until the project is completed. Change Order #1 covered all the changes in design since the original contract. The District has paid some work on a time & material basis to get some of the changes completed. Piedmont and Toyon are ahead of schedule and they have the same scope, etc.

Guests stated that The Board of Trustees stated at the last board meeting that the parents would get a response within 24-48 hours but the response said nothing. Guests stated the information is not reaching the right people. The information was not forthcoming. There has been no action for the last six weeks. There was also a complaint that the district web site states that the projects are on schedule but this information is six months old and should be updated.

Pam Dayhoff stated that there would be a community forum with the board members on Thursday, October 4 at 7:30 p.m. and that the topic would be facilities. The principals will also be involved in the forum.

**DISTRICT LANDSCAPING:** The Board asked for additional information to be presented at the October 2<sup>nd</sup> meeting as to how upkeep of the turf would be funded. There were no commitments made at the time of purchase of the Mabury and Flickinger sites so the land is free and clear to be leveraged. The District is considering the sale of one of the sites and could take the proceeds from the sale and use the interest to finance the upkeep of the turf. Only the interest can be used for the general fund. It was asked what the District could do about rollerblading on the tennis courts. Mr. Rono stated there are signs posted.

**UPDATE PIEDMONT EXTERIOR PAINTING:** The District is still trying to get a formal proposal for the cost of the project.

The next meeting is scheduled for November 28, 2001, at 7:30 p.m. in the District Office Board Room.

If something significant happens after November 28th and before the meeting in December, the Bond Oversight Committee can set up an emergency meeting.

Susan Cassens asked the Bond Oversight Committee members if they would attend the Community Forum meeting on Thursday, October 4<sup>th</sup> at 7:30 p.m. and also the next regular meeting of the Bond Committee on November 28<sup>th</sup>.

The meeting adjourned at 8:45 p.m.

**BOND OVERSIGHT COMMITTEE MINUTES**  
**WEDNESDAY, AUGUST 29, 2001**  
**DISTRICT OFFICE BOARD ROOM**

**CALL TO ORDER AND ROLL CALL:** The meeting was called to order at 7:35 p.m. Members of the Committee in attendance: Susan Cassens, Ken Cook, Robert Garcia, William Hughes, Sharon Morales, Cory Barfield, Mary Larson, Dale Osborn, Pete Franz, Sharon Morales. District staff in attendance: Gerry Harge, Pam Dayhoff, June Rono, Margaret Galvin. Guests: Renee Braun, Julie Holifield, Lee Salin, Rose Wood-Delgado, Bruce Field, John & Janet Power, Diane Burkeen, Carol Gallegos, Diane Imbesi, Michelle Do, Ted Galvin.

**APPROVAL OF AGENDA & MINUTES:** Susan Cassens made a motion to move Item 5, Status of Modernization Projects, to the beginning of the agenda. The agenda was then unanimously approved. Susan stated that there was not a quorum to approve the April minutes.

**STATUS OF MODERNIZATION PROJECTS:** June Rono distributed the August 2001 Oplink and stated we were distributing this special issue to cover the events during the summer. June stated the schools would remain safe and clean but is not satisfied with the construction progress. Piedmont is close to 100% completed and Toyon should be completed in 8 to 9 months. Toyon was scheduled to take 18 months but is now way ahead of schedule.

Laneview, Northwood, Noble, and Ruskin, continue to have design issues. The priorities are the multi, library and the bathrooms and we are concentrating on them. The contractor submitted a claim in October for extended overhead. The District has started the negotiation process with the general contractor. June gave the status of negotiations with the architect, The Steinberg Group, and the general contractor, GenCon. We now have a new contract, a new price and time schedule. Liquidated damages can be imposed if the contractor goes beyond the date scheduled for completion. All four schools should be finished by July-September 2002. The district will pursue cost recovery to cover the extra costs of the delay from any parties that have caused delaying the project. The contractors have bonds and the architects have errors & omissions insurance which the district will pursue. The amount of recovery will be determined at the end of the project. The Committee requested copies of the construction schedules. The schools get a copy of Oplink and also updated schedules.

Guests stated the focus at the schools should be on the curriculum and not on modernization. Mr. Rono stated that the principals should not be taken out of the picture because they are involved and need to be aware of what is going on. It was stated that plan checks should have been done and that demolition should not have continued when the plans were not complete. It was explained that the proper procedure was taken in obtaining the state's approval and that it is time consuming. The parents wanted accountability for ownership and reasons for delays. Mr. Rono stated that the District is in consultation with legal counsel to protect the interest of the District.

Susan Cassens stated that a special meeting be held for Northwood concerns so that particular items could be addressed. The parents asked if a member of the Board of Trustees could be invited to the next meeting.

A member of the committee stated that the Northwood School principal has not communicated with the teachers/parents. The District needs to make sure information is going out to all of the community.

**STAFF REPORTS - FINANCIAL INFORMATION:** Julie Holifield distributed the "Noble Project Financial Snapshot", and the budget summary dated 8/27/01. Pete Franz requested that the committee be made aware of change orders.

**RUSKIN ROOF REPLACEMENT:** June Rono stated that the District is working with the architect and mechanical engineers to remove the air conditioning conduits, etc. at Ruskin. The mechanical ductwork is really falling apart and it needs to be removed. The project may be expanded to include the HVAC. The bid package is not finalized because the District is still waiting for the consultant to come up with the best plan. The project should go out to bid in January or February. There were \$18 million bonds sold. A ballpark estimate for this project is \$1 million, not including design cost and the cost of a new HVAC system.

**UPDATE ON RESTROOMS:** The restroom project plans have been submitted to the state architects' office. It is estimated the project will go out to bid in December 2001 or January 2002. Coordination with principals/teachers on how to phase the project needs to be done.

**BERRYESSA YOUTH CENTER:** Pam Dayhoff stated this item should be removed from the Bond Oversight Committee because bond money is not being used for this project.

**DISTRICT LANDSCAPING:** Pam Dayhoff reported the Board declared surplus all of the Flickinger site and a portion of the Mabury site. The District needs to take the two sites and leverage them so they work for the District. The Board will have another work study session. An idea was to sell Flickinger, which is worth \$1 million/acre. The city is interested in Mabury for a joint-use project involving Penitencia Creek Park. The District needs to create a revenue stream.

**PIEDMONT EXTERIOR PAINTING:** Pam Dayhoff stated several people approached her because Piedmont has high visibility and it looks the same as it did when modernization started. Pam stated we have \$110 million bond money and recommended the District use \$50,000 to paint the school. A motion was passed to paint the exterior of Piedmont (there was one abstention).

The next meeting is scheduled for Wednesday, September 26, 2001, at 7:30 p.m. in the District Office Boardroom.

The meeting adjourned at 9:05 p.m.