

BROWARD COUNTY PUBLIC SCHOOLS
BOND OVERSIGHT COMMITTEE

KC WRIGHT ADMINISTRATION CENTER
BOARD ROOM
600 SE 3RD AVENUE
FORT LAUDERDALE, FLORIDA
DECEMBER 13, 2021
5:58 P.M. - 7:53 P.M.

ATTENDANCE:

Omar Shim, SBBC Capital Budget Director
Robert Nave, Florida TaxWatch, VP of Research
Sam R. Bays, Chief Facilities Construction Manager
Kathleen Langan, Senior Program Director, AECOM
Ashley Carpenter, Atkins, Project Control Manager
Robert Ballou, Director, Economic Development &
Diversity Compliance
Matthew Bradford, SBBC Information & Technology
Officer
Kathy Koch, Chief Communications Officer
Yvonne Garth, Garth Solutions, President/CEO

Bond Oversight Committee Members:

Adam Rabinowitz, Esq., The Florida Bar
Latha Krishnaiyer, Broward County Parent Teachers
Association
John C. Herbst, Florida Government Finance Officers
Association
Steve Hillberg, P.E., Civil Engineer
Tommy Demopoulos, Fire Inspectors Association of
Broward County

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P R O C E E D I N G S

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3 CHAIRMAN RABINOWITZ: Call to order. Are you
4 all ready?

5 All right. Let's do this then.

6 The first order of business is the approval
7 of the minutes from the prior committee meeting.

8 Do I hear a motion to approve the minutes
9 from the prior meeting?

10 MS. KRISHNAIYER: So moved.

11 MR. HERBST: Second.

12 CHAIRMAN RABINOWITZ: All those in favor say,
13 aye.

14 COMMITTEE MEMBERS: Aye.

15 CHAIRMAN RABINOWITZ: Wonderful. Motion
16 passes, the minutes are approved.

17 The next item is presentation by district
18 staff.

19 BECON: Are you starting?

20 CHAIRMAN RABINOWITZ: Yes.

21 BECON: All right. We need to know that. Is
22 your mike on? The green button on the front, is
23 it green? There you go. Now, stand by.

24 Three, two, one.

25 CHAIRMAN RABINOWITZ: All right. Let's try

1 this again.

2 All right we'll call the meeting to order.
3 The first order of business is the approval of
4 the minutes.

5 Do I hear a motion to approve the minutes.

6 MS. KRISHNAIYER: So moved.

7 MR. HERBST: Second.

8 CHAIRMAN RABINOWITZ: All those in favor say
9 aye.

10 COMMITTEE MEMBERS: Aye.

11 CHAIRMAN RABINOWITZ: The motion passes. The
12 meeting minutes are approved.

13 The next order of business is presentation by
14 district staff.

15 MS. LANGAN: Good evening.

16 CHAIRMAN RABINOWITZ: Good evening.

17 There's a slight echo. Does everybody hear
18 it?

19 Who's the first victim?

20 MS. LANGAN: Well, I'll go ahead and get
21 started. The first slide is referencing
22 Technology, Athletics, and Music & Arts and
23 Equipment, Theater equipment. Each of those
24 elements of the program are complete. The detail
25 on the music equipment is shown. If you back up

1 just one, Denise. Sorry.

2 All schools with music programs have received
3 instruments and equipment and there is the
4 numbers below to reflect that.

5 Next slide?

6 Art kilns, all kilns have been delivered to
7 schools. That was 136 kilns were delivered.

8 Theater equipment, 40 schools have full or
9 partial programs. 40 schools have had equipment
10 installed and it's 100 percent complete. 1.3
11 million total Theater budget.

12 Now moving into Facilities --

13 MR. SHIM: Excuse me. Before we do that, I'd
14 just like permission from the committee, for
15 future presentations, I think, you know, that's
16 not going to change, so if we can omit that part
17 and just present the Facilities part?

18 CHAIRMAN RABINOWITZ: Good idea.

19 MR. SHIM: All right. Thank you.

20 MS. KRISHNAIYER: I do have a question.

21 CHAIRMAN RABINOWITZ: Go ahead.

22 MS. KRISHNAIYER: Yeah, I do have a question
23 on the music. We were supposed to get a list of
24 schools that did not have music programs. I
25 requested it at the last meeting and haven't

1 received it. And I also wondered if, I think
2 there was some savings, I saw it somewhere, I
3 can't find it now, while reading through it on
4 the music programs -- the music funds, if that
5 could be applied to those schools that did not
6 have programs.

7 MR. SHIM: We -- that is a part of the
8 follow-up information and we'll send that out to
9 you in a written format.

10 MS. KRISHNAIYER: And, Omar, this is not the
11 first time, because, you know, we've requested
12 information before and it doesn't come. So I
13 just want to, you know, as a follow-up, if we
14 could get a name who we contact in case the
15 information doesn't come. I kept waiting for
16 this but nothing came, so that's why I'm bringing
17 it up.

18 MR. SHIM: Okay. We'll follow up.

19 MS. KRISHNAIYER: Okay. Thank you.

20 MS. LANGAN: Okay. Facilities.

21 CHAIRMAN RABINOWITZ: There's one more
22 question.

23 MR. DEMOPOULOS: I'm sorry. It's on the
24 TaxWatch report, but I believe it was also on the
25 school board report about the kilns. There's

1 still pending kilns even though that slide says
2 everything is done? Is there a confirmation? On
3 the last quarter's report there was one kiln
4 still waiting, on this quarter TaxWatch reported
5 there's two kilns awaiting approval.

6 MR. NAVE: May I?

7 CHAIRMAN RABINOWITZ: Yes, please.

8 MR. NAVE: It's our understanding that the
9 kilns had been delivered but there was one kiln
10 that was waiting on a renovation of a room to put
11 it in, I believe; is that right?

12 But that was the only issue that we raised.
13 And I don't see that as a significant issue.

14 MR. DEMOPOULOS: What about your
15 recommendation number 2 about the increase in the
16 budget? And I don't know if I'm getting ahead of
17 myself, the recommendation 2, page 6.

18 MR. NAVE: That's on the budget increase?

19 MR. DEMOPOULOS: Yes, sir.

20 MR. NAVE: Yes, we noticed that the budget
21 for the Music Arts and Theater part of the SMART
22 Program had increased \$300,000. And since most
23 of the equipment has already been purchased and
24 most of the spend has been done, we were curious
25 what that budget increase was for.

1 MR. SHIM: And I can respond to that. That
2 didn't have anything to do with the actual
3 equipment. That's related to an arts or theater
4 space that's involved in the primary renovation
5 project. And when a primary renovation project
6 was awarded there was a budget increase to that
7 project that increased that line. That's the
8 answer for that.

9 MR. DEMOPOULOS: Thank you.

10 MS. LANGAN: Shall we start?

11 CHAIRMAN RABINOWITZ: Please.

12 MS. LANGAN: All right. Moving to Facilities
13 we have a short film.

14 (Video presentation was played.)

15 MS. LANGAN: Thank you, Denise.

16 On the slide we have our updated numbers,
17 which include 42 projects in Design, 54 projects
18 in Procurement at some phase, 124 projects in
19 Active Construction and 45 projects in
20 Construction Closeout.

21 I would add that some of you may have seen on
22 our monthly report or other reports that the
23 active construction projects are higher. Those
24 are because those projects are not SMART funded,
25 so we don't bring those to this committee.

1 Okay. So moving on to Blanche Ely, you can
2 see the list of construction that is complete.
3 Construction underway includes the roof at
4 Building 1, some ADA renovations and HVAC in
5 Building 17 that are finishing up. Building 18
6 roofing is finishing up. And then the locker
7 room ADA compliance. The School Choice and
8 Athletics are 100 percent complete.

9 Moving to Northeast High School, Construction
10 Underway is Building 1, roofing, Building 3 STEM
11 lab, culinary lab, restroom, fire protection and
12 roofing. And some of those are pending building
13 department approvals. Complete, we have
14 completed the science labs, group restroom,
15 electrical ceiling, tile installation. Culinary
16 lab is currently back in for revise and resubmit
17 in Building 3. Building 12, as you know, has
18 been complete. That's the fire alarm, roofing
19 and the renovation of the athletic space. The
20 FF&E is in progress and we have noted an ASI for
21 the culinary lab that is in process that is, I
22 believe it's in the building department waiting
23 for approval. And then SD-29 America's U6 tank
24 is revise and resubmit. The new classroom
25 addition, this has been a consistent update.

1 Unfortunately, we have been out twice to the
2 market to bid and are not getting competitive
3 bids in all of the categories, so we're back to
4 advertising and looking at the GMP. The initial
5 books were submitted to legal as we work to
6 finish them and clear up the bids and any
7 packages that don't have coverage. School Choice
8 Enhancement is 94 percent complete. Athletics is
9 100 percent complete.

10 And moving to Stranahan High School, the
11 construction complete listing is there. There's
12 quite a bit complete. And I won't read each one
13 of those. I think construction underway is key.
14 Building 1, the air-conditioning in rooms 101-A-B
15 is a change order, but that is in progress.
16 Buildings 2, 3, 8, 9, 10, 13 through 15 roofing
17 is ongoing. There is change orders in Building 9
18 that are in process. Building 17 is storage
19 conversion. Building 20, STEM Lab and roofing is
20 being completed. Gas valves at the fire
21 department's request was added. We're in the
22 process of that. Fabrication lab dust collector,
23 that's being actually reinstalled. The drain
24 basin, you can see these are all change orders
25 that we're currently trying to finish up on. The

1 media center sub floor design, we're working on
2 that in order to reduce the moisture content in
3 that floor to prevent the continuous delaminating
4 of now what is the carpeting. And then room 139
5 fire concern egress. School Choice Enhancement
6 is 93 percent implemented. Weight room and
7 tracks are complete. And the cafeteria, actually
8 design in progress, not quite yet. But as of
9 tomorrow with the board we're bringing forward an
10 item to approve the architectural contract for
11 the cafeteria, so it will be in progress. Safety
12 and Security, all the single point of entry
13 projects are complete and then we've tried to
14 outline for you each of the fire alarm and fire
15 sprinkler and give you the detail that you asked
16 for last meeting, which is with the design, hire
17 contractor, construction, complete or closeout,
18 with the total number of projects there.

19 Okay. I'm going to turn it over to Ashley
20 and she'll walk you through the cash flow
21 forecast.

22 MS. CARPENTER: Thank you. So the graphic is
23 showing that there was just over 600 million has
24 been spent on SMART as of September 30th. And
25 the spend -- I mean, you can see the light blue

1 curve going up to the right is showing that the
2 spend is going at a pretty good rate. We
3 continue to see for the past year pretty much now
4 a pretty high spend every single month,
5 particularly in construction, of course.

6 And then on the next slide what you're
7 looking at is just a very high-level summary of
8 what's more detailed in the report. But the
9 quarterly risk assessment did change quite a bit
10 this quarter. So you can see in the middle
11 column, the 70 percent risk result, the previous
12 quarter we were projecting 518 million, and in
13 the September one it's now 584 million. And
14 that's primarily for two reasons. Number one,
15 see C. Robert Markham the board approved a new
16 school essentially at C. Robert Markham and the
17 board identified \$29.1 million for that. So that
18 was not in there at all because C. Robert Markham
19 was already under construction for SMART, so, you
20 know, the budgets have already been adjusted for
21 that job, so there's an additional 29 million
22 that's been identified for that school. So that
23 went straight to the bottom line. And then the
24 other part of it is really related to what we've
25 just been seeing consistently for the past couple

1 of years, which is that all the risks are
2 trending towards the high end of what we were
3 projecting the whole time. So, you know, you can
4 see how the curves have just basically converged
5 there at the top at the high end of the risk.
6 And there's another report that I do where I keep
7 track of the forecast of each individual project
8 and then, of course, look at that, roll that up
9 to the program level, and we just thought at this
10 time we had to kind of align those two because
11 everything that was happening was coming in at
12 the high end of what we were projecting. So once
13 we aligned those, you know, this is -- this is
14 where we ended up.

15 Obviously, if there's any other Markham-like
16 situations where the board decides to approve a
17 new building or, yeah, a new addition at any
18 school, then that's something that, again, has to
19 be considered as part of the risk assessment.
20 That's it.

21 CHAIRMAN RABINOWITZ: Questions?

22 MS. KRISHNAIYER: I'm not sure that this is
23 the time to ask a question, but seeing that the
24 board is discussing maybe closing schools or
25 consolidating, Markham, hopefully, that's not the

1 one of the under-enrolled schools that's being
2 marked for closing or consolidation. Because if
3 we are going to put more money into schools and
4 they're closed or if the schools had already been
5 renovated with SMART dollars, can you throw any
6 light on that?

7 MR. SHIM: I can't. I mean, that's a
8 discussion I think that the board would have to
9 have and take into consideration any community
10 input and everything else.

11 MS. KRISHNAIYER: So we don't know about the
12 enrollment at Markham at this time? Okay. Thank
13 you.

14 MR. DEMOPOULOS: I have a question.

15 CHAIRMAN RABINOWITZ: Sure, please.

16 MR. DEMOPOULOS: So just to clarify because
17 I'm not familiar, maybe. So that school that you
18 were talking about, the 29 million, they had a
19 plan for X and then we added an additional
20 building after the fact for 29 million? The
21 board added a building?

22 MS. LANGAN: Yes. So that project was -- the
23 scope of work of that project from the original
24 scope validation report under the previous PMOR
25 was changed. That was a large mistake.

1 Structurally the building needed to be replaced.
2 The architect of record, we went back and looked
3 at the Castaldi, we went back and looked at all
4 the records. There was very little money spent
5 on Building 1. We allowed the contractor to move
6 forward with the improvements in Buildings 2 and
7 5 and I think 3. But we stopped them from
8 working in Building 1. So right now the project
9 is in design and we're looking to replace that
10 Building 1.

11 CHAIRMAN RABINOWITZ: Just so the record's
12 clear, what school are we talking about?

13 MS. LANGAN: Markham Elementary School.

14 CHAIRMAN RABINOWITZ: Okay.

15 MS. LANGAN: And I would just clarify for the
16 committee one of our contract requirements is
17 that we are required to look at projects both
18 that may have had problems or that where scope
19 was changed from the original plan. Our contract
20 requires us to go back and look at those. And if
21 the value add to the district is to make a
22 modification or a replacement rather than a
23 renovation, to get the value for the district,
24 then we are compelled by our contract to perform
25 that.

1 MR. DEMOPOULOS: So there was already a scope
2 of work for that building.

3 MS. LANGAN: Yes, sir, it was very minor.

4 MR. DEMOPOULOS: So this is a change in
5 scope.

6 MS. LANGAN: There was some HVAC work and it
7 was to replace the roof and then some glass in
8 the front entryway.

9 CHAIRMAN RABINOWITZ: What was the spend on
10 the project before it was decided to do a new
11 building?

12 MS. LANGAN: About, I'm gonna say
13 approximately \$200,000, but we do have the HVAC
14 equipment and we do have possession of the
15 roofing materials. Maybe it was 250.

16 I don't know if you want to check the exact
17 number, Ash, but it was around that much money.

18 MS. KRISHNAIYER: It's a bias on my part but
19 if anyone deserves that much money put in, it's
20 Markham, where it's situated. It's an old school
21 and definitely it needs some attention.

22 MR. DEMOPOULOS: My question isn't so much
23 for that, I'm sure all the schools are deserving.
24 My question is, if we have X amount of dollars
25 and it's slated for X, Y and Z how are we doing

1 more additional? Because I have plenty safety
2 and security items that I'd love to have added,
3 which I was told we can't add with bond dollars,
4 but, yet, we're adding \$28 million for a whole
5 new scope. I'm just confused on why -- why I
6 can't have some on safety and security but we can
7 have some everywhere else. And I guess that's a
8 school board decision?

9 MS. LANGAN: Well, right. And, if I may,
10 that school in the original scope of work back in
11 2014 called for, in Maps, called for that
12 building to be replaced. So I know that
13 everybody thinks all their buildings were
14 supposed to be replaced, and I guess they were
15 prior to 2014, but in 2014 it was allocated that
16 it should be replaced. There's no reinforcing in
17 the walls. It won't withstand a hurricane. I
18 mean, it's got serious, serious problems. So
19 that was one of the only projects that used the
20 word -- term "replacement" that had at the time
21 over \$7 million to replace that building. So
22 that's a big part of it as well. Not only are
23 there major safety issues and, you know, work
24 that needs to be done, obviously, the kids are
25 still there, so it's not an imminent failure of

1 collapse like Rickards, but nonetheless it's got
2 to be -- it's got to be taken care of. So that's
3 the difference in Markham.

4 MR. HERBST: Could I add on to that?

5 CHAIRMAN RABINOWITZ: Please.

6 MR. HERBST: So wasn't Stranahan cafeteria
7 supposed to be replaced? So if we're going with
8 replacement, which I think I just heard you say,
9 we're supposed to replace them. We're not
10 supposed to remodel them or reconfigure them,
11 we're supposed to replace them. So tell me why
12 we're replacing one because it's supposed to be
13 replaced but we're not replacing another that we
14 promised the community was going to be replaced?
15 Help me so I can go back and explain to my city
16 commission and my residents why there's a
17 distinction between the two.

18 MS. CARPENTER: So one of the distinctions
19 between the two really is what was identified in
20 the SMART scope, which we -- we call it Maps,
21 that's the database that the original SMART scope
22 was put into, and in Maps Markham had a line item
23 that said replacement of Building 1 and then had
24 other line items like HVAC improvements and
25 roofing and whatever. But that replacement of

1 Building 1, you know, was pretty clear. The
2 previous owner's representative before AECOM was
3 here looked at it and said, well, if we can just
4 renovate it, we should do that. Because they
5 knew back then, you know, there were budget
6 issues and everything. So they determined back
7 then, you know, renovation would be the best way
8 to go.

9 Now, when it went before the board when AECOM
10 brought it before the board and said this is a
11 serious condition, it needs to be replaced, you
12 know, the board understood and said, okay, that
13 needs to be replaced.

14 Stranahan cafeteria is a different situation.
15 Now, they were promised, I mean, I don't know.

16 MR. HERBST: Everything. They were promised
17 everything.

18 MS. CARPENTER: They were promised the world
19 a long time ago when the district had money.

20 MR. HERBST: And when we did the Castaldi
21 report and when we sold the bond to the
22 community.

23 MS. CARPENTER: A long time ago. But
24 actually when it came to 2014 what was put into
25 the scope for Stranahan did not show replacements

1 for those things. So that's, I think, where
2 that -- I don't know what happened there, but,
3 you know, when you look at the actual scope that
4 was lined out for Stranahan and for Blanche Ely,
5 there weren't replacements for buildings there.
6 So Stranahan cafeteria got added by the board
7 later on because it was recognized that there's
8 some serious deficiencies there that need to be,
9 you know, fixed, but it was never part of the
10 original. And when it got brought before the
11 board in March of 2018 the decision was just
12 renovate it, or expand it and renovate it.

13 So, again, now after everybody's revisited
14 that, it's been decided to give them a new
15 cafeteria, but --

16 MS. LANGAN: And if I could just add to that
17 because I think there is something important here
18 to distinguish as well, and that is, whoever put
19 the Maps together used the word replacement in a
20 lot of different areas and was very general. And
21 then on the same line item they would also put
22 renovation. The difference in Markham was, they
23 actually had enough money for that building to
24 replace it. So it was a lot of different things,
25 but I think the important -- because if you go

1 back and check the 2014, you'll see the word
2 replacement, but what you won't see -- you know,
3 it will say replacement, \$200,000, and then
4 further on the line item it might say renovation.
5 So as you go back and look at it, just keep those
6 things in mind, that Markham was really the only
7 one that had \$7 million to replace.

8 MR. HERBST: Well, I will though tell you,
9 having sat on the city commission back when all
10 this was going -- coming to pass, and
11 representatives from the school board and the
12 superintendent at the time came and asked my city
13 commission to pass a resolution in support of
14 that bond. And I know what we were promised. I
15 know what was said to us to induce us to support
16 the bond issue. We were told it was going to be
17 replaced. So I can tell you on behalf of my
18 community that we feel this is a bait and switch.

19 CHAIRMAN RABINOWITZ: Not everybody's feeling
20 warm and fuzzy.

21 Are there any other questions, comments,
22 concerns? Otherwise, we'll turn to Bob.

23 Steve?

24 MR. HILLBERG: Yes, hopefully a brief one.

25 CHAIRMAN RABINOWITZ: Go ahead.

1 MR. HILLBERG: I'm lost with the building
2 numbers and all the big schools. Is there a key
3 somewhere that I missed?

4 CHAIRMAN RABINOWITZ: Thank you.

5 MR. NAVE: If I may, Mr. Chairman, I'd like
6 to take a point of personal privilege and
7 introduce Tony Carvajal, our executive vice
8 president from Florida TaxWatch. Tony dove down
9 with me today. He's going on to Miami for a
10 meeting tomorrow, but this is his first Bond
11 Oversight Committee Meeting, so --

12 CHAIRMAN RABINOWITZ: Welcome.

13 MR. NAVE: Now, having done that, I would
14 like to talk a little bit. The staff didn't
15 mention flagged building projects or anything.
16 And the Bond Oversight Committee report
17 identified 24 projects as being flagged for
18 schedule issues. I had counted 40. And I see a
19 handout that we got tonight that shows 23. So
20 I'm not really sure how many projects are
21 delayed. But I think it raises the issue of the
22 new schedule. And if we'll remember that at the
23 last meeting, the presentation that we got from
24 staff suggested that the 2018 schedule was based
25 on two back and forths between the design firms

1 and the building department, but it was actually
2 trending closer to the nine to ten. But to base
3 the schedule on nine to ten back and forths would
4 push the completion out into 2027. So the
5 district assumed five back and forths in putting
6 the 2020 schedule together. So is that -- am I
7 understanding that correctly?

8 MS. LANGAN: Yeah, I think that's a
9 reasonable statement.

10 MR. NAVE: And, again, I'm saying that
11 because I went back and read the transcript from
12 the last meeting.

13 MS. LANGAN: No, no, that was definitely a
14 discussion point. I think what we've been trying
15 to do is, when you look at the documentation, you
16 know, we're constantly trying to improve the
17 spotlight and where the data is being drawn from
18 is what you're looking at. When you look at the
19 delays, it's really identifying the issues. So
20 you can have issues without having a delay on a
21 project. And what we failed to look at was the
22 colors that we were using to express issues
23 versus delays.

24 So when we instituted the traffic light
25 concept, those, you know, red, yellow and green,

1 they really conflicted in a lot of areas of the
2 issues from our monthly project updates.

3 So it's a glitch that we have to go back and
4 look at how we're going to distinguish between
5 issues and then delays.

6 What I would also add is, even with these 23
7 projects being delayed, 17 of those projects are
8 almost 99 percent complete. These are
9 outstanding change orders to get our finals,
10 which we've talked a lot about at the last
11 meeting.

12 In addition to that, there's no pushing out
13 of the schedule. So we're still -- our critical
14 path is still intact where we're not pushing out
15 the program.

16 So I think that, that's an important
17 distinction, as well.

18 CHAIRMAN RABINOWITZ: Bob, can I ask you a
19 question?

20 MR. NAVE: Yeah.

21 CHAIRMAN RABINOWITZ: Have you interfaced at
22 all with Facilities to try to reconcile the
23 number of delayed projects that they've reported
24 versus what you've found?

25 MR. NAVE: I have not. And this is the, I

1 think, second quarter in a row where there's been
2 some discrepancies between the numbers. But I
3 think the more critical question is, if the 2020
4 schedule is based on an assumption that there
5 will be five back and forths instead of nine or
6 ten, then the question to staff is, what are you
7 all doing to reduce the number of back and forths
8 from nine to five?

9 MS. LANGAN: So we developed a design group
10 instead of having project managers try to manage
11 design and construction. So those -- those five
12 reviews are strictly in design, getting through
13 the code reviewers at the building department.
14 So we developed a design group whose focus and
15 management is solely on the design projects and
16 making sure that they're going -- that they're
17 within scheduled timeframe of the five design
18 reviews with the building department. And, in
19 addition to that, maintaining the contract
20 duration requirements by the building department
21 and the -- and the consultants.

22 Is it perfect? Does it always happen? No.
23 But we manage very tightly.

24 Previously you had construction people that
25 were also trying to manage design and it just

1 didn't have the focus that it needed. So when we
2 instituted the five, we instituted the design
3 group.

4 CHAIRMAN RABINOWITZ: Does that answer the
5 question?

6 MR. NAVE: We'll see. But, yes, it does
7 answer my question. Thank you.

8 MS. LANGAN: And I would just offer that at
9 any time we can sit down and go through with you
10 the inner workings of the software and what we're
11 trying to do to be more and more transparent with
12 issues versus delays. And actually advancements,
13 because we have moved projects forward as well.

14 CHAIRMAN RABINOWITZ: There's also, and it's
15 set forth in your report, Bob, there's a
16 discrepancy between the total number reported and
17 the total that you found. Has that discrepancy
18 been worked out?

19 MR. NAVE: Well, the district's report
20 identified 24 flagged. We counted 40, and this
21 handout tonight has 23 and I think that I would
22 defer to staff to explain the 23.

23 CHAIRMAN RABINOWITZ: But then there's still
24 17 that are not mentioned as being delayed.

25 MS. LANGAN: It's the difference between

1 issues. So when a project manager updates his
2 project in e-Builder, and it's called a monthly
3 project update, we have a section of risks and
4 issues. When he -- she or he identifies those
5 there is a low, medium, and high risk; okay? So
6 if he puts -- if he has a concern about a lot of
7 change orders or maybe there is a schedule issue,
8 he's not quite sure, but he wants us to be aware
9 of it, he marks it accordingly. And what
10 happened was, there's -- so there's the items
11 that are showing delayed were really issues and
12 not -- not actual delays on the project. And
13 that's what the 23 projects are. And I do
14 actually think there was one off.

15 So, again, we can sit down and go through
16 those in detail and show you the difference in
17 the working of the software.

18 We do need to tweak it so that when we're
19 talking about issues and risks, that if they're
20 not delaying the project, that somehow we define
21 what exactly that issue or risk is rather than
22 just saying it's a schedule or it's a budget, you
23 know, flag.

24 MR. NAVE: And, again, the district's report
25 identified 49 projects at risk using that traffic

1 signal, which we tried that four or five years
2 ago, didn't we, with putting it in reports? So
3 I'm glad to see that back. But the problem is,
4 we have 49 projects that are at risk, at high
5 risk, we've got 23 or 24 that are delayed based
6 on the 2020 schedule. I don't know what the
7 inclusion of this risk factor does other than
8 confuse me.

9 CHAIRMAN RABINOWITZ: The thing that gets
10 raised in my mind is, what is the impact on bond
11 dollars? I understand that projects get delayed,
12 but if there's an increased cost because of, you
13 know, whether it's high risk, low risk, whatever,
14 is there anything that you can explain to us
15 whether or not there will be increased cost
16 exposure to the bond?

17 MS. LANGAN: Well, if you look at the
18 projects that are actually delayed and the
19 percent complete of those projects, the increase
20 of cost is the change orders that we've been
21 directed to perform. That's the increased cost.
22 They're sitting there. They're sitting there
23 without a 110B or a 209 to get signed by the
24 building department and the state -- and the
25 superintendent, excuse me, and they're sitting

1 there. So, is there a cost to that outside of
2 the change order that's preventing them from
3 getting a 110B? I don't think so.

4 CHAIRMAN RABINOWITZ: Okay. Thank you.

5 MR. HILLBERG: Can I jump in?

6 CHAIRMAN RABINOWITZ: Yeah, please.

7 MR. HILLBERG: I think you're echoing
8 something I found. I had a similar thing, a
9 similar number, closing in on 40 that it seems
10 like the -- I kept seeing that projects listed in
11 closeout did not have schedule flags, and that
12 might be something, like you're saying, that
13 they're waiting on the closeout paperwork. And
14 that seemed to be a common -- a common element in
15 the projects I looked at. In particular there's
16 Coral Cove that was supposed to finish in the
17 third quarter of 2019 and it's got the flag.
18 These are just two really old ones. And Pine
19 Ridge Education Center closeout second quarter
20 2019, no flag.

21 MS. CARPENTER: Can I speak to one really
22 quickly?

23 I think what we had decided some -- a couple
24 years back or something was that, yeah, once the
25 projects achieved substantial completion and

1 enter closeout, then it would show, you know, a
2 schedule flag if it was in delay leading up to
3 that point. And then I think after it achieved
4 substantial completion then it would kind of come
5 off the list, you know. Or if something regained
6 time and then is no longer delayed, obviously,
7 the schedule flag would also come off. But I
8 think that was intentional, that once it reached
9 substantial completion it would come off the
10 schedule flag list. So I'm not sure if the
11 committee wants to change that, but I'm pretty
12 sure that was intentional.

13 MS. LANGAN: What I'll add is, at the next
14 meeting I think we can clear this up very easily
15 by going back and we want the transparency of the
16 traffic lights. That's a good thing. What we
17 don't have right now that we need to have for the
18 next report is we need to identify either what
19 the issue is or what the delay is. And we need
20 to distinguish between an issue and a risk versus
21 a schedule delay.

22 I think if we do that, we talked about it
23 today, we were in a long meeting, I think if we
24 do that then we will be able to improve the
25 spotlight, improve the understanding of people

1 looking at the spotlight and improve our
2 transparency.

3 CHAIRMAN RABINOWITZ: Did you have something
4 else?

5 MR. DEMOPOULOS: Yeah, if we can go back to
6 the building department, the delays in the
7 predesign meetings, because I remember at the
8 last meeting you had talked about the
9 establishment of this predesign team and having
10 these meetings, and I'm not sure that that has
11 solved the problem.

12 My question, I guess, is twofold for staff or
13 I guess the school board, is there any
14 accountability; or training; or anything else on
15 the building department side to try to minimize
16 these amounts of times that we're reviewing
17 plans? I don't know that that can be answered
18 right now, but, I mean, if my plan reviewer at
19 Tamarac Fire Department was reviewing nine or 10
20 times I would have a problem and we'd have some
21 remedial training in my office. So what are we
22 doing with our building department?

23 MR. BAYS: Sam Bays, Task Assigned Executive
24 Director of Facilities Office of Capital
25 Programs, I think if you were to look at the

1 specifics of those reviews, you wouldn't find a
2 deficiency in technical expertise on the part of
3 that reviewer. I believe that to be the case in
4 my 16 years with the district. It's not been
5 that the plans reviewer was inexperienced in his work.

6 MR. DEMOPOULOS: Do we know what -- if it's
7 not a technical thing, do we know what it is?

8 MR. BAYS: It's a misalignment between the
9 submitted plan from the design professional and
10 the code as enforced here in Broward County
11 Public Schools.

12 MR. DEMOPOULOS: So wouldn't the first; or
13 second; or third review have those initial
14 comments that then whomever, the contractor,
15 would fix?

16 MR. BAYS: You would think so.

17 MR. DEMOPOULOS: Yeah, I would. Okay. So
18 that's for the building department. And then I
19 guess the consultant omission and consultant
20 errors, holding them accountable, as well, has
21 that been any better or worse; how is that
22 working?

23 MS. LANGAN: Are you referring to the number
24 of submissions that they give to the building
25 department or are you referring to the result of

1 errors and/or omissions on the documents during
2 construction?

3 MR. DEMOPOULOS: Well, I'm imagining both,
4 right? Would they be tied together so if --

5 MS. LANGAN: You know, I don't know. What
6 I'll say is that, you know, even though at times
7 we've lost I'd say three LORs since we took over
8 the program, and maybe it's four, and you would
9 think that getting an LOR would secure your
10 project to the point where you really -- there
11 might be a few reviews and a few comments, but we
12 have been back in the building department for
13 sometimes up to six months in back and forth
14 reviews for the second LOR. Same thing with the
15 fire marshal.

16 So I think Sam is correct in that, you know,
17 I think in order for the district to keep up with
18 the volume of work for the building department
19 and the fire, because fire is definitely a
20 challenge, you know, they've brought in
21 consultants to do the code reviews, and as Sam
22 indicated, it could be that those consultants
23 don't have the expertise of Broward -- I mean,
24 I'm guessing. I'm trying to just give you some
25 thoughts. It could be that they don't have the

1 expertise that maybe, you know, an employee of
2 the district would have.

3 As far as E&O's on construction, I know you
4 all have asked that question, the board has asked
5 that question, and we are preparing a board
6 follow-up response. We are working with Atkins
7 to institute a process where we begin to track
8 the differences in cost between having to pay for
9 a change order that may be an omission versus,
10 you know, what we would have paid on bid day.
11 Obviously, there's value there. So we are
12 working on that and expect to have that to you by
13 no later than the next meeting and our board
14 follow-up is due within the next week or so.

15 Hopefully, that helps.

16 MR. DEMOPOULOS: Thank you.

17 And while we're on change orders or you
18 mentioned change orders, have there been any
19 changes to the stance of the board with the
20 superintendent approving change orders under
21 \$25,000 as the policy dictates?

22 MS. LANGAN: We have prepared an item to go
23 to the board. It is actually for \$15,000. We
24 spoke a lot about the different values and the
25 leadership felt that that was a compromise to get

1 started.

2 MR. DEMOPOULOS: So your item is to revise
3 the 25,000 down to 15,000 and then the board will
4 allow the superintendent to execute that,
5 tentatively?

6 MS. LANGAN: That's our plan. That's our
7 goal.

8 MR. DEMOPOULOS: Thank you.

9 CHAIRMAN RABINOWITZ: Does anyone have the
10 Powerball numbers for tonight?

11 Moving on, I see budget is on the screen.

12 Omar, you're up.

13 MR. SHIM: Thank you. Omar Shim, Director of
14 Capital Budget, and good evening.

15 This quarter's budget activity report is for
16 the quarter ending September 30th, 2021.

17 The total SMART Program budget increased by
18 14.1 million over the last quarter from 1 billion
19 330 to 1 billion 384.1 million, which is shown on
20 page 351 of the actual quarterly report. The
21 detailed list of each project that got budget
22 increases are listed in the report on page 355 to
23 373.

24 So from the total of 1 billion 384.1 million,
25 1 billion and 12 thousand is -- and 12 million is

1 either committed or spent and the balance of the
2 funds that are not encumbered or spent is 372
3 million.

4 Expenditures through the first quarter are
5 715.4 million, as shown on page 374 of the
6 report. This is a \$55.1 million increase in
7 expenditures from the previous quarter. The
8 growth in expenditures show increase in
9 construction activity, as Mrs. Carpenter pointed
10 out. And most of the nonconstruction items in
11 the SMART Program have been completed. Purchase
12 orders in place are 296.6 million.

13 Next slide, please.

14 So in the SMART Program funding that's
15 identified in the project budgets, the district
16 set aside reserves for additional costs. You
17 know, we showed this in the report, 225 million,
18 and the other additional funding we had, it's
19 about 558 million total we put into -- in
20 additional funding we put in addition to the
21 original amount of the SMART Program.

22 And currently we are making sure that we work
23 with Atkins on the risk assessment. Ashley
24 mentioned that the recent risk assessment that
25 came out was 584 million and so we've put in 558

1 million, so we're looking and monitoring those
2 changes to make sure that we respond to those
3 type of increases.

4 Our unallocated reserve is 60.9 million. So
5 that's outside the SMART Program. And if you
6 look at the difference of what we have put in
7 versus the overall risk, it's about \$26 million
8 difference. So you can see, if we had to respond
9 to that, we'd take, you know, look at what our
10 reserves are and look at other opportunities when
11 we do additional financing. You know, we're
12 going to go out for COPS this year. We're also
13 going to do a GOB issuance this year. So those
14 are some different opportunities.

15 So as we move into the fiscal year '22
16 district staff will monitor GOB cash flows. So
17 that's another thing we're watching, because,
18 really, the number of projects that are being
19 issued that are going out the door this year
20 versus how much money we need to be able to issue
21 against that. And then that's it.

22 I'll take some questions.

23 CHAIRMAN RABINOWITZ: Questions?

24 MR. HILLBERG: Yes. I found this to be a
25 disconnect in the numbers for the budgets listed

1 on the school spotlights versus the page 350
2 financial. Are they on a different timeframe or
3 are they in different sources? Because the
4 variance is typically around 30 or \$20,000.

5 MS. CARPENTER: What page did you say in the
6 BOC report, page 350?

7 MR. HILLBERG: Oh, no, in that section.

8 MS. CARPENTER: Oh, in the budget section?

9 MR. HILLBERG: Yeah, the schools, I did a
10 spot check for Boyd Anderson, that looks like
11 that was a 31,000 difference, Bright Horizons --

12 MS. CARPENTER: Are you saying the
13 discrepancy was in the actuals or in the budget?

14 MR. HILLBERG: It's in the -- in the school
15 spotlight you have a table and it has the budget
16 and then it has the balance, maybe, and spent to
17 date. And in those columns in the back of the
18 report, the 350s, they did not add up. In all
19 five of the places that I checked they did not
20 match.

21 MS. CARPENTER: Omar, do you have any
22 thoughts on that?

23 MR. SHIM: Well, I'm looking. I'm taking
24 your example of Boyd Anderson.

25 MR. HILLBERG: Okay.

1 MS. CARPENTER: I actually do have one
2 thought which is related to the PM fees. It's
3 not related to the contractor or the designer
4 spend, but it's related to internal management of
5 the projects. These reports for the spotlights
6 are pulled out of e-Builder and e-Builder just
7 got updated recently with the -- with additional
8 PM fees that had been somehow not categorized
9 with the right date from SAP. So they were
10 minced out from the June 2020 load. And so they
11 have been loaded now. So I would assume --
12 because that 31,000 sounds like one of those
13 that's probably what it was. So I would assume
14 that in the next quarter those should align
15 because all of those fees have been picked up.
16 So the discrepancy was like in an internal code
17 rather than, you know, any of the vendors. But
18 I'll definitely check it now that you've brought
19 it up.

20 MR. HILLBERG: Okay.

21 MR. SHIM: Okay. So I'm looking at Boyd
22 Anderson and I'm just trying to follow along with
23 what you're saying. So the current budget says
24 10,333,254.

25 MR. HILLBERG: All the way to the right part

1 of the last two columns.

2 MR. SHIM: So that -- that matches. And then
3 you were saying the actuals? Is that what you're
4 saying?

5 MR. HILLBERG: Spent to date. Balance.
6 Balance. I'm sorry, balance.

7 MR. SHIM: Okay. So the actuals, if you flip
8 back to page 382 is a combination of the prior
9 year expenditures and the current expenditures,
10 the 130 --

11 MR. HILLBERG: Yeah, add those together and
12 they're spent to date.

13 MR. SHIM: And you're saying that that's off
14 the actual that's in here?

15 MR. HILLBERG: That's what I found; yes. But
16 that's a good explanation that there's a
17 temporary --

18 MR. SHIM: That's possible. I'll take a look
19 at that. But thanks for pointing that out.

20 MR. HILLBERG: You're welcome.

21 MR. BALLOU: Robert Ballou, Office of
22 Economic Development. I run the office. I'm the
23 officer of it. But real quick to start the
24 conversation, the district's goal for local M/WBE
25 commitment is 30 percent. We are in this quarter

1 representing a 38 percent achievement, so we
2 overachieved the goal.

3 Next slide, please. Actually, can you skip
4 that slide?

5 Here we can see where our spend is or the
6 commitments are, pretty much equal distribution
7 of making it in women owned businesses, a little
8 underachieving in African American suppliers.

9 And if we go to the next slide, what are we
10 doing to do different? These are the things that
11 we have been doing for pretty much the last nine
12 months. We got some tracks during this quarter
13 of Q1 of 21-22 through the bid courses and
14 business development series that we did and the
15 really personal invitations to come to a pre-bid
16 meeting. Because if you don't go to pre-bid
17 meeting, you can't bid. So if you look at the
18 number of African American and women that
19 attended a pre-bid meeting and won as the prime
20 or a sub, over 50 percent of the contracts
21 awarded during this quarter went to African
22 American or women suppliers. So great quarter.
23 I don't know if we're going to achieve the same
24 effort in future quarters because we had -- the
25 types of bids that we had were more conducive to

1 the suppliers. So that's how we did it that
2 quarter.

3 How we plan to maintain that trendline,
4 again, not exactly 50 percent, maybe 20 percent,
5 is we're looking at how we're doing the
6 solicitation and working with AECOM, re-looking
7 at our mentor protege program, we'll revamp that
8 to make it more target specific for the future
9 solicitations we have. There's probably anywhere
10 between 20 and 30 projects yet to be bid on, so
11 we're looking at modifying those projects to make
12 them more achievable and amenable for our local
13 suppliers so that we can close the gap on
14 those -- in those two constituent groups. But to
15 point out women owned businesses are at 40
16 percent, so a little above their goal and we
17 still have to work on the African American
18 supplier, but achieving the goal overall and we
19 just listed all the different things that we're
20 doing. Basically, every recommendation that any
21 of you or a board member has given us we have
22 implemented over the last six to nine months to
23 achieve the goal. And then as one of our last
24 slides we always want to point out that both
25 AECOM and Atkins are achieving their goals on a

1 quarterly basis of their local S/M/WBE
2 commitment. So kudos to them as well. They have
3 proven that a 40 percent goal in construction
4 related activities is not unrealistic, just to
5 point out. And then we have proven it in forum
6 because we did 38 percent commitment this
7 quarter. So we now have -- our new aspirational
8 goal is to be as good as they are and be at 40 or
9 45 percent in the future quarters.

10 And that completes my report.

11 CHAIRMAN RABINOWITZ: Bob, anything?

12 MR. NAVE: Nothing on Supplier Diversity.
13 But if you are inclined to revisit Budget, I
14 probably would have a question or two on that.

15 CHAIRMAN RABINOWITZ: Okay. Go right ahead.

16 MR. NAVE: Are we on Budget?

17 CHAIRMAN RABINOWITZ: Sure.

18 MR. NAVE: The question, and, again, I think
19 what we've seen is the amount of money that the
20 district has in reserves is only enough to cover
21 the low-end risk scenario. So the 5 and the \$603
22 million scenarios, if those are realized, then
23 the district would need to put more money in the
24 reserves for that.

25 The other thing is, with the adoption of the

1 2020 schedule we have construction activities
2 going into 2025, maybe even early 2026, but the
3 budget only covers years 1 through 8. So we made
4 this recommendation in the last report, we
5 reiterated it in this report, it would be good to
6 see the budget numbers for years 9 through 12.
7 So that's a question to the district as to when
8 would one think those are available?

9 CHAIRMAN RABINOWITZ: Omar?

10 MR. SHIM: Yes. So, essentially, all the
11 projects in the SMART Program are allocated.
12 Their budgets are being adjusted as they're being
13 awarded, which means that they're drawing from
14 those reserves and being trued up when they are.

15 I mean, we could go back if the board would
16 like to do that and reallocate them and push them
17 out and add the additional funds in as a
18 projection. That's one way to do it. I think
19 that's what you're saying in the recommendation.

20 However, you know, that's a different way to
21 look at it and you'd have to go out, back to the
22 community, and provide, okay, we're going to take
23 the money out of the project and fund it out in
24 the future year, and I just -- you know, and that
25 exercise, I just don't know -- so this is our

1 method of allocating right now, is to keep the
2 funding that's been allocated on the projects
3 based upon the original layout and provide
4 additional funding when they're being awarded.

5 And I don't know if this committee is
6 recommending or would like to recommend something
7 different, but that's our current method of doing
8 it.

9 CHAIRMAN RABINOWITZ: Is that because the
10 bond dollars will be fully utilized through year
11 8 and bond dollars are not going to be utilized
12 to subsidize the additional expense that will be
13 incurred to the projects for years 9 through 12?

14 MR. SHIM: No, it's primarily because, mostly
15 because the projects are already allocated and we
16 are not issuing the bonds -- they're mostly
17 placeholders, because we're not issuing the bonds
18 until we're actually spending the money
19 approximate. So it's mostly they're a
20 placeholder for the project, to say we're going
21 to do this project and this is what its original
22 budget was, and when we actually go out and do
23 the award, we re-evaluate the budget, take money
24 from the reserve that we've already projected
25 using Atkins' risk assessment to lay out in those

1 years where we believe that they're going to need
2 those additional dollars, and then award the
3 project. And that's our method that we've used
4 to budget this. I think that, you know, this
5 committee has seen that, you know, we had
6 different changes in the schedules; right? So
7 we're -- we're basically not trying to change --
8 make drastic changes in what we're saying that
9 the project is going to cost in the budget until
10 we know what they're going to cost when we go out
11 to award them.

12 CHAIRMAN RABINOWITZ: Does that make sense to
13 you, Bob, or --

14 MR. NAVE: I -- I don't know whether it makes
15 sense or not, but I'll remind the committee that
16 when the SMART Program first started we had a
17 budget the years 1 through 5 and budget for 6, 7
18 and 8 was added at the recommendation of
19 TaxWatch. So all we're doing is making the same
20 recommendation out through year 12. Now, whether
21 the district wants to put numbers out to year 12
22 is their call, but I don't know how in year 10
23 one can be spending money when there's no budget.

24 CHAIRMAN RABINOWITZ: Omar?

25 MR. SHIM: And I'll say again that the

1 projects are already awarded the budget. So
2 we're spending the money that's budgeted and then
3 we're spending the money that the project already
4 has the funding for. You know, it can last
5 multiple years for the construction and the
6 design and everything else. So there is a
7 possibility of budgeting the project this year
8 and it being completed over the next two years.

9 CHAIRMAN RABINOWITZ: Bob, is it something
10 that we can address in -- I mean, what year are
11 we in now?

12 MR. NAVE: 8. Is it 8?

13 MR. HILLBERG: It just started.

14 MR. NAVE: We just started year 8.

15 CHAIRMAN RABINOWITZ: Is it something that we
16 should address in a year because there should be
17 a budget for year 10 in year 9?

18 MR. SHIM: And let me reiterate that --

19 CHAIRMAN RABINOWITZ: I follow what you said,
20 but I think what Bob's saying is that there
21 should be known allocation for known projects by
22 year 10, 11, 12, yeah, 9, 10, 11 and 12. Because
23 we already have a budget for year 9; right? Or
24 we don't have 9? Where did it stop?

25 MR. NAVE: I think -- in the beginning of the

1 budget section there's a matrix and it shows the
2 SMART categories out for each year and it goes
3 out through, I think, year -- I think through the
4 end of this year. So at some point we're going
5 to get into year 9, and when taxpayers look at
6 the report and they realize we're in year 9 and
7 the budget only goes to year 8, then the obvious
8 question is, how much money are we going to spend
9 on these categories in each of those years?

10 CHAIRMAN RABINOWITZ: So that begs the
11 question, how will the taxpayers know?

12 MR. NAVE: Well, that's my job, and I'll make
13 sure they know.

14 CHAIRMAN RABINOWITZ: But other than knowing,
15 what you're saying is you want to compare it
16 against a budget or a proposed budget for that
17 year?

18 MR. NAVE: Yes.

19 MR. SHIM: And we do it on a more macro
20 level. So we say that the program is going to
21 cost X amount of dollars more and we'll set aside
22 those funds on a macro level. And instead of
23 doing it project by project and laying that out
24 we do it on a macro level and say this is where
25 we think the program is going to cost to deliver

1 all these things and we set aside the funding for
2 that based upon Atkins' risk assessment. When we
3 go through that we make adjustments to our macro
4 cost and it's done program wide.

5 MR. NAVE: I've made my recommendation. I
6 really don't have anything to add to it. The
7 district will budget for those years or they
8 won't.

9 CHAIRMAN RABINOWITZ: Anybody have any other
10 questions, comments, concerns?

11 MS. KRISHNAIYER: I do have a question.

12 CHAIRMAN RABINOWITZ: Sure.

13 MS. KRISHNAIYER: Bob mentioned that the
14 reserves only cover the lower risk. So what do
15 we do if there's some high-risk options that come
16 in if it only covers that?

17 MR. SHIM: Well, what we're trying to do is
18 to cover the most likely scenario, which is the
19 70 percent risk and that holds for a while until
20 recently we've seen some cost escalation based on
21 the Atkins report. So now we're going to re-look
22 at it and to make that adjustment to that 70
23 percent risk or the higher end and that's what
24 we're looking at. And that's just -- that's the
25 way it's been. If you looked at all the

1 adjustments we've made, we've made those
2 adjustments to go towards that, you know,
3 recommended -- what's recommended by our costing
4 consultant.

5 MS. KRISHNAIYER: So, I mean, I'm just
6 wondering, are we going to run out of money?

7 MR. SHIM: Well, if we did all of this in one
8 year we would. But it's been spread out. And
9 so, luckily, we've been able to sort of keep pace
10 with some of these increases.

11 MS. KRISHNAIYER: I do have another question,
12 and you may not be able to answer it, but someone
13 should. From what I read from the U.S.
14 Department of Education, the money that was sent
15 for schools whether the state government has sent
16 it to us or not, some of that money can be
17 applied for infrastructure, you know, ventilation
18 systems.

19 So what is the status of that money? Because
20 if that can be used to offset some of this it
21 would be very useful. I mean, I don't know if we
22 have received it or not. The last I read it had
23 not come to us from -- Florida school districts
24 had not received the allocation that the federal
25 government sent down. And also in the future

1 expecting the Build Back Better, if it ever
2 passes, I just saw a report on what that can have
3 for school infrastructures specifically.

4 So do we have any idea or does anyone have
5 any idea and can just -- I mean, you don't have
6 to answer it now, can we get some kind of
7 follow-up on that before the next meeting?

8 MR. SHIM: Well, I can -- basically, the
9 American Rescue Plan, I think is what you're
10 talking about, the American Rescue Plan does have
11 funding that could be used for HVAC and other
12 things. It's primarily for the recovery of
13 COVID. But, of course, some of those funds can
14 address a lot of building needs. And an
15 application was sent for the grant to the state
16 and we're still awaiting approval of that grant.
17 And it has about \$80 million in there for HVAC
18 and other things. But that's not really for the
19 SMART Program. The SMART Program is funded and
20 will go forward. And, of course, the district
21 has plenty of other needs that those funds can go
22 towards, so it's separate.

23 MS. KRISHNAIYER: Thank you.

24 CHAIRMAN RABINOWITZ: The remaining question
25 concerning budget that we should consider as a

1 committee, and correct me if I'm wrong, but
2 TaxWatch gives us recommendations and then
3 becomes a question of whether or not there should
4 be a motion to request that the board then
5 request a budget, to create a budget for year 9
6 and forward. That's kind of the machination as I
7 understand it. So understanding that, you know,
8 TaxWatch makes these recommendations, it's a
9 question of what we do with them at this point.

10 So the question is, is there a motion or
11 anything that we want to do as a committee with
12 the recommendation made by TaxWatch concerning
13 budget?

14 MR. HILLBERG: Adam, this was one of the
15 items that I brought up as one of the points to
16 be brought up to the board at the workshop, that
17 confirmation that the funding plan for the Bond
18 program is adequate to last until the end of the
19 bond program which is now estimated to finish in
20 2026. So there was discussion of that and that's
21 going to be something that we need to continue to
22 watch. And, of course, I don't see that any
23 projects will be cancelled.

24 CHAIRMAN RABINOWITZ: And I'll say it's just
25 that I think that for transparency and to aid Bob

1 in his endeavor and service the question is
2 whether or not a recommendation should be made to
3 the board that a budget be prepared to make Omar
4 work harder than he already does? You know, to
5 create budget for the balance of those years 9
6 through 12. And, obviously, it doesn't have to
7 be done overnight, but that's the question that's
8 been posed and that's what's been recommended.

9 MR. DEMOPOULOS: Question. I wasn't around
10 prior, but this has already been done, as Bob
11 said, for years, whatever 6, 7, 8, if I'm
12 correct, so there's some past precedent that
13 this --

14 CHAIRMAN RABINOWITZ: Yes. Go ahead.

15 MR. SHIM: If I may? But that's been using
16 our methods that we've used. So basically we
17 laid out the first five years on the original
18 time scale for budget and we left it there. And
19 whenever the projects were awarded we -- in other
20 words, in year 6 if a project -- because a lot of
21 them weren't awarded within the first five years,
22 in year six if the project was awarded we added
23 additional funds and things like that. So the
24 projects have been awarded pretty much the same
25 since the very, very beginning of the program and

1 we've managed to actually award and budget the
2 additional dollars on a macro level using the
3 reserves. And I think that's what you're talking
4 about.

5 CHAIRMAN RABINOWITZ: But I think what you're
6 saying, if I'm understanding you correctly as
7 well, is that there's really in years nine
8 through 12 we're not going to see new projects
9 awarded, they've already been budgeted at some
10 point in time between years one through eight,
11 but then it becomes a question of whether or not
12 how those dollars are going to be allocated
13 between the projects that have already been
14 awarded for years nine through 12. Am I
15 understanding this correctly? Is that where some
16 of the disconnect would be, Bob?

17 MR. NAVE: I -- I think it could be. But,
18 again, I'm not a budget person, so I don't know
19 the intricacies of the budget.

20 CHAIRMAN RABINOWITZ: I'm just a lawyer, too,
21 so I just read financials in my line of business.
22 So I want to make sure that Bob has all the tools
23 that he's looking for when he fulfills his
24 responsibilities along the way.

25 MS. CARPENTER: Can I just add something

1 here, Omar, through the Chair?

2 If you look at the -- one of the original
3 slides with the counts of the projects, so
4 projects that are still in design and the
5 majority of them that are still in bid and award,
6 which I think totals about approximate 96 --
7 yeah, 42 and 54, 96. The majority of those 96
8 would be the projects that we're talking about
9 where the budgets would need to be adjusted.

10 So, for instance, Whiddon-Rogers, that's
11 currently in bid and award. If we move forward
12 with taking the bid to the board, at the time
13 that we take the bid to the board for award of
14 the contractor we say at that time this project
15 is going to require another million dollars,
16 let's say. And then, as Omar said, that million
17 dollars then gets put in the current year, you
18 know, that it's awarded, that additional million
19 dollars goes in there. So Whiddon-Rogers has
20 some money, it has been budgeted. Some of those
21 dollars are bond dollars, some of them aren't,
22 and then the additional million is coming out of
23 the reserve, so that's not bond dollars. And so
24 it will show funding in the original years that
25 it had and then the million dollars in the

1 current year.

2 So it's not -- I mean, I understand what
3 Bob's saying and we have talked about it before,
4 one of the benefits to doing it the way we've
5 been doing it is that we know exactly how many
6 dollars you need when you go to construction. We
7 now have a bid. You know, we know exactly how
8 many dollars we're going to have to spend on that
9 project. I mean, almost exactly. And so we can
10 give a very tight, you know, budget to the board
11 and then move forward with the project based on
12 that and manage to that budget.

13 If I say right now for one of those 42
14 projects that's currently in design, based on
15 what I think the scope is today, but it may
16 change after four reviews in the building
17 department, you know, it's not exactly -- you
18 know, we may have to go to the board twice to say
19 here's what we think the budget is going to be,
20 will you approve these additional dollars today,
21 and then in a year or two years, by the time the
22 contractor is on board, that number might change.

23 So it's a different way to go about it,
24 but -- sorry, Omar.

25 MR. SHIM: No, no, what I was going to say is

1 that, basically, these projects that haven't been
2 awarded, and there's -- as you can see, there's
3 about half of them, right, so you're still going
4 to get changes in budgets in the coming years.
5 But we've set the money for those budgets out in
6 those years already. So there is funding
7 budgeted in the years, I guess it would be years
8 2024 and 2025. We have funding sitting in --
9 awarded in those years for the reserve to take up
10 the -- to add dollars to those projects when they
11 get awarded. I hope that makes sense.

12 CHAIRMAN RABINOWITZ: Whose head is not
13 spinning right now?

14 MR. BAYS: And if you want to just compound
15 that a bit, Sam Bays, Ashley can give you --
16 Denise, if you'll go to the risk register, the
17 market conditions and risk assessment, that's
18 what that entire slide deals with, is the
19 confidence interval that projects those costs
20 forward. So that's a really fascinating
21 conversation that those allocations are
22 predicated on.

23 CHAIRMAN RABINOWITZ: If I need to fall
24 asleep, I'm sure.

25 MR. BAYS: It's a lot of fun.

1 MR. HERBST: So if I can ask then, so when
2 you're saying you've got those reserve accounts
3 in the out years, is that reserve account a
4 general fund allocated pool or are there project
5 specific delineations within that reserve account
6 in the outer years?

7 MR. SHIM: It is a general unallocated pool
8 that's very specific to the SMART Program. So it
9 can't be spent on anything outside of the SMART
10 Program.

11 MR. HERBST: Right. But so going back to
12 your point, I understand that you don't know
13 exactly what your costs are going to be for
14 projects, but if I take it properly, you're
15 suggesting that bringing an amount to the board
16 now and then going back to them next year with a
17 more accurate figure is somehow burdensome?

18 MS. CARPENTER: No.

19 MR. HERBST: Okay. Because, to me, because I
20 deal with politicians a lot, pretty much every
21 other week, and I can tell you what happens to
22 reserve accounts, they're fungible and money
23 moves all over the place and it doesn't stay in
24 the project it was intended for. It tends to get
25 moved over to other projects that happen to be of

1 more immediate concern or gather a little more
2 political attention at a particular point in
3 time. But when you put money into the city
4 projects, and my city charter is very specific
5 with this, we have to use the word "abandoned"
6 when we move money from one project to another.
7 And let me tell you what, the community hates
8 when they hear that their project is being
9 abandoned so that we can move money to another
10 project.

11 So I'm suggesting that maybe putting it in
12 specific delineated line items in those outer
13 years instead of a general account might help
14 keep money in projects where it belongs.

15 MR. DEMOPOULOS: Also for the funding that
16 you're putting away in reserve in '24 and '25, is
17 that on the more conservative end of risk, is
18 that at a higher end? Will that be sufficient in
19 those future years? I know you don't have a
20 crystal ball to know what inflation is and all
21 that, but is that sufficient, what you're putting
22 away?

23 MR. SHIM: Right, so we look at that every
24 quarter. So when it changes we evaluate, you
25 know, if that's sufficient. And it's based upon

1 very recent -- I mean, I'll let Ashley speak to
2 that, but from the reserve standpoint we're
3 looking carefully at the risk assessment level of
4 it.

5 MS. CARPENTER: And they have continued to
6 identify more and more dollars as more dollars
7 are needed. I mean, if you think about the
8 original program, had it been completed in seven
9 years, the overall dollars for the program would
10 have been less even if the scope was the same
11 just because of inflation and market conditions;
12 right? So as the program timeline extended that
13 also did increase cost due to inflation. So even
14 just that, you know, changes every quarter, but
15 -- and we have seen significant inflation this
16 calendar year.

17 But, yeah, Omar continues to reevaluate every
18 time a new risk assessment comes out.

19 MR. SHIM: So the answer to your question is,
20 yes, we're looking at the most realistic cost of
21 this program that's updated every quarter.

22 CHAIRMAN RABINOWITZ: Any other comments;
23 questions?

24 (No response.)

25 CHAIRMAN RABINOWITZ: We're up to

1 Communications.

2 MS. GARTH: Good evening. Yvonne Garth of
3 Garth Solutions. We are the communications
4 liaison for the SMART Program. I just wanted to
5 start by saying, typically, you hear from me
6 regarding the activities and the progress that
7 we're making with communications, but really all
8 of what you see and all of that effort is a team
9 effort and it's in collaboration with the Office
10 of Communications. So I'm really pleased today
11 to have Kathy Koch, the district's Chief
12 Communications Officer, here tonight to lead us
13 with the update for SMART Communications.

14 MS. KOCH: Thank you, Yvonne, and good
15 evening to everyone. I'm Kathy Koch. It's a
16 pleasure to be here with you this evening to talk
17 about communications. We are putting a
18 full-court press on communications. Not that we
19 haven't. Garth Communications does an amazing
20 job putting together well-defined, beautifully
21 designed communications that are up to date, that
22 have amazing photos, that have all of the stats
23 in it, and communicating it through the district.
24 But we felt that there might be something more
25 that we needed to do in addition to that. And,

1 as Yvonne said, we are in close collaboration
2 between the Office of Communications and Garth
3 Communications. So we sat down and we
4 brainstormed to see, maybe, are we reaching every
5 audience that we should with a message that would
6 resonate with them?

7 The new campaign that you saw at your last
8 meeting, What SMART Means to Me, was really a
9 result of us reaching into the community, into
10 our business community, into our partners to see
11 what they knew about the SMART Program.
12 Surprisingly, maybe, some didn't know really what
13 was going on and what was important. And so we
14 felt we needed to do a better job.

15 So -- so we sat down, we brainstormed, and we
16 realized it's not maybe just the facts but what
17 it means to people. What does SMART mean to a
18 homeowner? What does SMART mean to a parent?
19 And so that's what SMART Means to Me. It's what
20 is it that will resonate with the community?

21 So one of the things that we thought and that
22 we heard is that a home value might increase if
23 there are renovations being done at the school at
24 the end of the street or if a new building is
25 being constructed. Another thing is that there

1 are no taxes to Broward County residents that are
2 going to increase as a result of the general
3 obligation bond. And so messages that were very
4 personal messages are what we feel is important
5 and what we're including in this What SMART Means
6 to Me.

7 So on this slide you will see the analytics
8 from that first video that you saw at the last
9 campaign. It ran from September 7th through
10 October 19th. That first number, 6,533, the
11 video views across all platforms, that's social
12 media, that's Twitter, that's Facebook, that's
13 Instagram. And then the 246 website hub views,
14 the hub is where the campaign lives. And so
15 people have gone to look at the campaign, 246 of
16 them. And 6,098 have actually gone to the
17 website, we have the current visitors to the
18 website. So we're gaining some traction. People
19 are coming to the website. They're aware of it
20 and they are learning from it.

21 So on this slide, this slide is our Moving to
22 Education theme. And I think, let me just share
23 with you before I do that, some of the ways that
24 the campaign is being distributed in addition to
25 the social media.

1 As I said, now that we have reached out to a
2 broader market, those videos are being
3 distributed through all of the ways we said but
4 also to the business community, to our partners.
5 And some of the partners are the Urban League,
6 the Greater Fort Lauderdale Alliance, United Way,
7 Children's Services Council, the Broward
8 Workshop, Broward County, and more. So we asked
9 those entities to distribute the video.

10 Also, for our ribbon cuttings, we invite
11 media to the ribbon cuttings, it's covered in the
12 news, and so that's another way we're getting our
13 message out. And these ribbon cuttings is
14 acknowledgment that these programs are part of
15 the general obligation bond, that they're paid
16 for by those tax dollars, wise use, we hope, of
17 those tax dollars.

18 Our TV station, BECON, if you're familiar
19 with them, they're here tonight helping us, BECON
20 creates a video story for every time that there
21 is a ribbon cutting and it's distributed also via
22 social media. So if Garth distributes it on
23 social media, the district likes it and that
24 means more than 200,000 people receive that
25 social media. So it's a big umbrella.

1 SMART videos started on BECON TV on October
2 23rd. And one of the other things that we are
3 doing is working with some of the media. For
4 example, in Coral Springs there's something
5 called Tap Into Coral Springs, it's an online
6 newspaper, and in Coral Springs they want to do
7 their own story about each of the buildings, the
8 renovations in Coral Springs. So it's now
9 becoming a bigger net that is reaching across the
10 county.

11 What you're about to see is the new -- the
12 new video and that's moving into education. And
13 so this is What SMART Means to Me and as I said
14 it's what does it mean to me in terms of
15 education? It highlights how enhanced schools
16 contributed to a healthy real estate market and
17 happy homeowner buyers.

18 So if we can play that video now? Thanks
19 Denise.

20 (Video presentation was played.)

21 MS. KOCH: So that's our real estate message.
22 There will be other videos with other messages
23 that we intend to resonate with the community.

24 And in addition to what you have seen in
25 terms of our videos and our social media, the

1 next thing we would like to do is to get people
2 to come into the buildings. Because there are
3 many that are completed. There's new buildings.
4 There are media centers. And we want to get
5 people to come in.

6 So some ideas that we have is to have DAC and
7 SAC and the PTA, have their meetings, invite them
8 to have their meetings in some of our schools.
9 We can host the community leaders, the Greater
10 Fort Lauderdale Alliance, the Chambers of
11 Commerce, have their meetings come in to see our
12 buildings. Trade organizations, also, for
13 example, the General Contractors Association,
14 hold your meeting in some of our buildings. We'd
15 like to invite Florida TaxWatch and the Bond
16 Oversight Committee to perhaps hold a meeting in
17 one of our buildings. And BECON TV, which
18 streams live, can stream live from that building
19 as well.

20 In addition to that, BECON is going to do a
21 media tour. We're going to go from building to
22 building and put together a package that we will
23 then send to media so they'll be able to, through
24 us, come into the building and then hopefully
25 promote that on their station.

1 So we're looking for a little difference, a
2 bit out of the box, but just really simple ideas
3 to get the message, get the word out a little bit
4 more than it has been in the past about what's
5 happening with the bond program, the SMART Bond
6 Program and what's happening inside of our
7 schools.

8 So we're pretty excited about the strategy.
9 They're not -- they don't cost anything. They
10 just -- they just make us get out into the
11 community a little bit more.

12 So that's -- that's what I wanted to share
13 with you. I want to thank Yvonne for letting me
14 have just a couple of moments with you. And,
15 Yvonne, I'll turn it back to you. Thank you.

16 Thanks everyone.

17 MS. GARTH: Thanks, Kathy. That really
18 summed it up perfectly. As you can see, there's
19 a lot of effort happening behind the scenes
20 beyond a lot of reports that you see. But people
21 may not always see the results of the program.
22 And in addition to the All About SMART campaign,
23 we do continue to post messaging related to the
24 specific schools on social media. We tag the
25 schools as progress is made so that they can

1 celebrate at the community level accomplishments
2 for their particular schools.

3 So that's the update we have for you. We're
4 happy to address any questions you might have.

5 CHAIRMAN RABINOWITZ: Anyone?

6 MS. KRISHNAIYER: Yes. Good evening, Kathy.
7 I do have a question.

8 How is it reaching parents? Because we still
9 get a lot of questions. And we'll be glad to
10 hold a meeting. If there is a PTA in a school
11 that we do need to host PTA there, so we'll be
12 more than glad to do that.

13 But we are still hearing from parents that
14 they don't know what's happening. So how is this
15 message getting to them?

16 MS. KOCH: Thanks for the question and I'll
17 tell you what I know and then Yvonne might want
18 to jump in and then we can think of more if it's
19 not working, but the information goes to the
20 principals for their schools. The principals
21 would distribute that to the parents. So that's
22 the plan. That's the plan of how it works. So
23 that's the conduit. So the specific school gets
24 the information to be distributed to the parents.

25 MS. KRISHNAIYER: Well, I think I've

1 addressed this before, that when it goes to the
2 principals, not all principals communicate it to
3 the parents. You know, that's for sure. And we
4 know that about a lot of things, that it depends
5 on the principal. So if we could find another
6 way, because that's the audience that we are
7 looking for because they're the ones most
8 concerned.

9 So if we could find a way to get it directly
10 to the parents, some way to, you know, make them
11 go to social media. I know most of them are on
12 social media, but there are tons of parents that
13 are not. So if we could find a way to get it to
14 them then I won't get a lot of questions, which I
15 still do, about where the money is, what's going
16 on, what's going on at my school, and we direct
17 them to look at the website, all that kind of
18 stuff, but, you know, an easier way to get to
19 them.

20 MS. KOCH: Got it. And just to respond to
21 that, in addition, we do send information through
22 the emails to our parents. But based upon what
23 you said, I just would like to speak with some
24 parents and some principals, which is kind of
25 what we've been saying here, just go out to who

1 we're trying to reach and say, do you know what's
2 going on? So I can tell you what we are doing
3 factually, but if it isn't working then we just
4 need to dig down a little bit more deeply and see
5 what we need to change a bit. And it might just
6 be talking to the same people who are supposed to
7 communicate and make it simpler, whatever it is.
8 Thanks for the question, and then we'll refocus
9 on the parents, of course.

10 MS. KRISHNAIYER: If you want to focus on
11 something or send me a link that we can put in
12 the monthly newsletter that we send out to
13 parents, you know, that reaches PTA. So we could
14 do that. And, also, another question I had was,
15 this presentation, this is easier to understand
16 for a lot of parents. So if it could be made
17 available to parents, you know, and I think I've
18 asked before if this presentation could also be
19 sent to us. You know, it's shorter. You know,
20 if you sent the whole report out they don't look
21 at it. So if this presentation was made
22 available on the website or wherever, I think it
23 would help a lot of parents go through it or we
24 can direct them to it and they would understand a
25 little better.

1 MS. KOCH: Thank you. Appreciate the input
2 and the ideas. We're gonna jump right on those.
3 Thank you.

4 MS. GARTH: If I may also add that we do have
5 the SMART website and each school has its own web
6 page. And one of the things that we do is, when
7 we post social media for specific schools, we tag
8 the school in all of the social media posts and
9 that helps us to distribute the messaging. But I
10 do want to mention Parentlink because that's
11 been, you know, a great tool that we've been able
12 to leverage through the Office of Communications,
13 especially when it's district wide. It goes out
14 to all of the parents via emails and text
15 messaging and we get great response. Actually,
16 we're able to track the hits on the website and
17 through other platforms. We can see the hits
18 happening when we do that.

19 So, absolutely, we'll look at other methods.
20 We're always open to that. But I did want to
21 mention, we do tag the schools, we do have a
22 specific website. But in addition to that we're
23 also working with Kathleen and the PMOR to do
24 project update meetings, particularly for the
25 schools that are in the design phase to update

1 them. So we go to the SAC meetings and provide
2 updates that way.

3 MS. KRISHNAIYER: Especially Stranahan.
4 There's a lot of misinformation out there that,
5 you know, Stranahan parents are really concerned
6 about. Thank you.

7 CHAIRMAN RABINOWITZ: Anyone else? Steve?

8 MR. HILLBERG: Do you reach out to the
9 neighborhood associations surrounding the schools
10 or in the district? I think that would grab a
11 lot of people that have grown kids but they're
12 interested in the neighborhood school or maybe
13 they don't have kids that are ready for that
14 school yet that otherwise aren't going to be
15 reached.

16 MS. KOCH: Excellent. Thank you.

17 MS. GARTH: We've done it on a couple
18 isolated projects. Especially like Olson Middle
19 where there was demolition happening and there
20 were surrounding homes, so we visited in that
21 particular case but not, specifically, so that's
22 a great suggestion.

23 CHIEF DEMOPOULOS: May I also add a
24 suggestion with communications to some of the
25 fire departments or cities. A lot of the

1 projects, when they're finalized, it would be a
2 great opportunity for the fire departments to do
3 a walk-through. If anything within the structure
4 has changed, you know, before 911 is called it's
5 nice to be able to go out and understand the flow
6 of the building prior to an emergency. So some
7 of that communication would be nice as well.

8 MS. KOCH: Thanks. We do send it to the
9 cities but not specifically to the fire
10 departments. And inviting them in would be just
11 what we're talking about. Thank you.

12 CHAIRMAN RABINOWITZ: Anyone else?

13 (No response.)

14 CHAIRMAN RABINOWITZ: No? Bob?

15 MR. NAVE: No, sir.

16 CHAIRMAN RABINOWITZ: Okay. What do we have
17 left?

18 Steve, the School Board Workshop briefing.

19 MR. HILLBERG: Okay. I attended the School
20 Board Workshop on October 5th. We brought five
21 items to mention to the board. The first is a
22 repeat of the request to implement the existing
23 policy where the superintendent can award items
24 up to -- approve items up to \$25,000. I left the
25 meeting thinking that that wasn't going to

1 happen. I'm pleased to hear Ms. Langan report
2 that they are trying to at least a compromised
3 version of that. At one point one of the board
4 members said, well, we meet weekly, so there is
5 no delay, we don't need to have this expedited
6 policy, it won't help. So I thought, okay,
7 that's dead and I felt kind of foolish not
8 knowing that they can meet weekly. And I kind of
9 slunk out of the room with that idea. But I'm
10 glad to see it's implemented. That's important.

11 And the second item is the committee
12 requested the efforts to enhance the school
13 safety are highlighted in the school spotlight
14 pages in the quarterly report. I saw a table
15 that I don't remember seeing before, so I'm
16 thinking that this report added adjustments, you
17 enhanced it a little bit. I'm hoping that that's
18 what that was. So that's progress on that as
19 well.

20 The third item, the committee -- the
21 committee is concerned that a few months after
22 the schedule reset, about 20 schools were flagged
23 with schedule issues that are late and the
24 committee urges that the school board demand that
25 the bond program stay on schedule and that was --

1 we can't really disagree with that. So they
2 agreed and as we saw tonight there are efforts to
3 constantly improve wherever possible.

4 The fourth item is the committee requests
5 action on excessive permit review cycles, we've
6 discussed that tonight. Progress is being made.

7 Committee requests confirmation that the
8 funding plan for the bond program is adequate to
9 last until the end of the bond program which is
10 now estimated to end in 2026, we've already
11 addressed that as well. So we are looking into
12 it.

13 So that's the end of the issue. Any
14 questions?

15 (No response.)

16 CHAIRMAN RABINOWITZ: None.

17 The next workshop is actually February 8th.
18 Somehow it's always a conflict for me. I looked
19 at my calendar. I have actually a scheduled
20 trial which actually could cause a problem for my
21 attendance on March 7th because trials weren't
22 happening, obviously, since COVID.

23 Is there someone else that's just dying to go
24 to the workshop on February 8th?

25 John? Tommy? Anybody?

1 MR. HERBST: I'm checking.

2 MR. DEMOPOULOS: I probably can. I just
3 would love -- I'll probably have to watch a few
4 videos to learn the expectations of my
5 attendance.

6 CHAIRMAN RABINOWITZ: It's not tremendous.

7 MR. DEMOPOULOS: Is it during the day or at
8 night?

9 CHAIRMAN RABINOWITZ: Yeah, during the day.
10 10:00. They schedule you so you can get in and
11 out and not sit through for four hours.

12 MR. HILLBERG: We are working on kind of a
13 procedure within the committee to come up with
14 these suggestions to the board as a committee and
15 present them, instead of one person kind of
16 reviewing the meeting notes and things to kind of
17 go up alone and not have the backing of the rest
18 of the committee. So what I had done in the past
19 was review the transcript of the meeting and the
20 meeting minutes and then put together a list and
21 send it to Adam and our liaison, Vicki.

22 CHAIRMAN RABINOWITZ: Pick the highlights.

23 MR. HILLBERG: Just bullet points. You heard
24 me, they're very brief, and then pretty much
25 present them as is to the board and bring copies.

1 They stopped the first time I did it and waited
2 until copies were made and handed out. So
3 they'll want copies.

4 MR. DEMOPOULOS: I'll do it.

5 CHAIRMAN RABINOWITZ: Excellent.

6 MR. HILLBERG: I would like to maybe as we go
7 on with this, it seems to be successful that the
8 voice of the committee kind of has some power
9 behind it and a general agreement on things we
10 want to say, that as we go through each meeting
11 try to keep tabs and come up with suggestions and
12 then as the last time we can just say does
13 anybody got any ideas that we need to present?
14 Certainly from tonight we want to see the funding
15 plan.

16 CHAIRMAN RABINOWITZ: My only issue is I'm
17 happy to have it circulated amongst the committee
18 members as well, I just want to make sure that
19 we're not running afoul of any Sunshine
20 requirement.

21 MR. HERBST: If you're circulating it after
22 meeting, then you are. You can't have a
23 reply-all kind of a concept.

24 MS. KRISHNAIYER: It can come from Omar.

25 MR. SHIM: Still, I would have to check with

1 legal. I don't think -- I think it comes through
2 with me as, you know, anything that came from the
3 committee members and we can circulate it that
4 way, but I'm happy to check with legal.

5 CHAIRMAN RABINOWITZ: Yeah, please do.
6 Because it should be something that is the voice
7 of the committee and not a single certain
8 member's observation or evaluation of the
9 transcript.

10 MR. HILLBERG: Because I'd be voting for
11 refreshments.

12 CHAIRMAN RABINOWITZ: I second that motion.

13 MR. SHIM: Well, I think there is a couple of
14 things. I mean, there is -- anything that you
15 vote on, of course, is certainly something that
16 the committee has, but also anything that you can
17 discuss or recap or something during this meeting
18 and then, as to what to send to the board. I
19 mean, that's just a suggestion.

20 MR. HERBST: That's typically what we do with
21 sitting boards and committees, if they have
22 communications to the commission, at end the of
23 every one of our meetings, you know, the chair
24 would generally say, you know, are there any
25 communications to the commission that we want to

1 take a vote on? And that's something that they
2 usually look at. And to the earlier point, if
3 it's a unanimous vote, you know, if it's a
4 divided vote, that's very helpful for them in
5 making their decision. When they realize that
6 there may not be unanimity, you know, in the
7 board, then they approach the issue a little bit
8 differently then.

9 CHAIRMAN RABINOWITZ: But then the question
10 is, ultimately, because not all of us are taking
11 such studious notes --

12 MR. DEMOPOULOS: Well, now I have to if I'm
13 going there.

14 CHAIRMAN RABINOWITZ: There's going to be a
15 copy of the transcript concerning what are the
16 salient issues. I mean I can tell you off the
17 top of my head now what the general issues are,
18 but is that something that we then should
19 institute and discuss before we conclude this
20 meeting this evening?

21 MR. DEMOPOULOS: I think so.

22 CHAIRMAN RABINOWITZ: Okay. So let's talk
23 about that in a moment. Let's get through the
24 balance of anything else we need to discuss and
25 then we can hit the highlights and then each one

1 of us can, you know, reiterate what they think
2 are -- I think there should be no more than five
3 points for the presentation.

4 MR. HERBST: Yeah, otherwise you lose them.

5 CHAIRMAN RABINOWITZ: We came up with -- the
6 next issue on the agenda is proposed future
7 meeting dates. I think that we kind of covered
8 that in the last meeting. The other -- and I
9 don't think we need to readdress it.

10 The next thing is the Bond Oversight
11 Committee Membership. Because we started late,
12 my fault, I'd say that we table that issue.
13 Because I think that everybody's membership
14 extends past the next meeting anyway, so I think
15 we just table the resolution changes, membership
16 terms, et cetera.

17 The only thing I would mention is the ethics
18 training. There's only one person on this
19 committee, actually, it's you, John,
20 congratulations, that's in compliance. The
21 balance of us are not, including myself. I think
22 we were provided the link to complete the
23 training. So let's do that before the next
24 meeting if we can. And then there's a
25 verification form that we need to fill out.

1 Omar, you have something to say?

2 MR. SHIM: Yes. I'm sorry. We can certainly
3 bring back the resolution for you to look at and
4 look at the membership and decide what to do
5 about that, but one thing that I think I would
6 recommend is that when I read the resolution
7 today I wanted to make sure that, you know,
8 everybody -- what I read about the terms is that
9 when the resolution was done it was based on a
10 five-year program and so we are well beyond that.
11 So the board did -- we did an amendment to the
12 resolution where the board recognized that it
13 would go past five years. So they put something
14 in the resolution to waive term limits. And I
15 would recommend that the committee take a vote to
16 waive the term limits so that, you know, there's
17 continuity of membership.

18 CHAIRMAN RABINOWITZ: Is there a motion to
19 waive the term limit requirement?

20 MR. HERBST: Just a point of clarification,
21 would that be indefinitely? So are we waiving
22 them for a period of one more year, two more
23 years or until such time as we are concluded?

24 CHAIRMAN RABINOWITZ: Omar?

25 MR. SHIM: Yeah, I think it's until such time

1 that you are concluded. Because the idea was to
2 give the committee continuity, unless, you know
3 -- and so, that's the point. It was to -- there
4 were a total of five years terms, so that was the
5 length of the original bond program. So now that
6 it's extended they put that in there.

7 CHAIRMAN RABINOWITZ: Is there a motion?

8 MR. HERBST: I'll move it.

9 CHAIRMAN RABINOWITZ: Anybody want to second
10 it.

11 MS. KRISHNAIYER: I'll second it.

12 CHAIRMAN RABINOWITZ: All right. All those
13 in favor say aye.

14 COMMITTEE MEMBERS: Aye.

15 CHAIRMAN RABINOWITZ: That's one of those
16 things.

17 All right. Wonderful. And we'll come back
18 to the points in a moment.

19 Let's get back to the agenda. The agenda
20 required us to recess the business meeting and
21 convene a public meeting. Is there anyone here?

22 No? No one's here? Wonderful. We can
23 adjourn the -- we can adjourn the public meeting
24 and reconvene this meeting.

25 And let's now have the discussion about what

1 the five points should be for Tommy to present to
2 the board. Obviously, the first point would be
3 that we made a recommendation that the resolution
4 to be changed to waive term limits. That's an
5 easy one.

6 I'll start with you Steve, since you take
7 copious notes.

8 MR. HILLBERG: No, I just, the only one that
9 really stuck out was the long discussion on the
10 funding plan until the end of the program. But
11 that was already covered in one of the items
12 before so --

13 CHAIRMAN RABINOWITZ: Well, I think it's a
14 little bit more detailed than that. I think
15 there was a recommendation from TaxWatch that
16 budgets be created for years nine through 12.

17 MR. HILLBERG: Okay. A little more specific.

18 CHAIRMAN RABINOWITZ: Yeah, a little more
19 specific. I think that's a salient point that
20 there is a recommendation from TaxWatch for a
21 budget to be deducted for the balance of the life
22 of the project years nine through 12.

23 Anyone else?

24 MR. HERBST: I would agree with that.

25 CHAIRMAN RABINOWITZ: So we have at least two

1 points. I mean, let's -- we've been here for it
2 will be almost two hours, so what else did --

3 MR. DEMOPOULOS: What about the policy change
4 for the 25,000 to 15,000. I think that's going
5 in front of --

6 CHAIRMAN RABINOWITZ: Steve already, you
7 know, had that conversation at the last workshop
8 with them.

9 MR. HILLBERG: The last two workshops. I
10 think that one's retired.

11 MR. DEMOPOULOS: Until it's changed and acted
12 on I don't know that it's retired. Especially if
13 there's not any other -- if there's other
14 pertinent information to report, if there's not,
15 then I would add that as being redundant.

16 MR. HILLBERG: I don't think it would be
17 received very well if you keep bringing up the
18 same items.

19 MR. DEMOPOULOS: But if they don't fix it, I
20 don't know --

21 MR. HILLBERG: They're making progress. We
22 have a compromise.

23 MR. DEMOPOULOS: How long does it take to
24 make a compromise?

25 MS. KRISHNAIYER: When is it going before the

1 board, the 15,000 recommendation?

2 MS. LANGAN: It should be going in tomorrow's
3 meeting, but it's a process. It's a long process
4 to change a policy in the district. So this is
5 just one of many meetings that has to occur,
6 so --

7 CHAIRMAN RABINOWITZ: You address it at your
8 own risk.

9 MR. DEMOPOULOS: Is there a way to find out
10 after tomorrow's meeting if that went through
11 successfully or didn't?

12 MS. LANGAN: Sure. Absolutely.

13 MR. DEMOPOULOS: Because if it didn't go
14 through successfully, I would imagine that should
15 be a topic brought up.

16 MS. LANGAN: They don't vote on it the first
17 time. There's a process to it. So I don't want
18 to imply that it's going to be resolved tomorrow.
19 It's a process that you go through. It actually
20 is about a six-month timeline from the time that
21 you have the first public meeting until the time
22 that you can enact the policy change. So, you
23 know, we can report on it next time. We can, you
24 know, let you know how it was received, but I
25 just don't want to give the impression that

1 there's going to be vote or something.

2 MR. HERBST: Could we make a recommendation
3 about the time it takes to change a policy?

4 MS. LANGAN: There is a policy on that.

5 MR. HERBST: Of course there is.

6 CHAIRMAN RABINOWITZ: Lathia, I know you take
7 notes. Do you have any other highlights?

8 MS. KRISHNAIYER: I think a couple of us
9 brought up the low risk versus the high risk.
10 Maybe we should bring that out. That was your
11 question also.

12 MR. DEMOPOULOS: Yeah, yeah. So
13 clarification as to the reserves that they're
14 putting aside in the future?

15 MS. KRISHNAIYER: Uh-huh. Uh-huh.

16 MR. DEMOPOULOS: So just for my
17 clarification, the reserves that they're putting
18 away in the future are at the 70 percent mark,
19 not at the high risk mark; correct?

20 Just so I sound somewhat intelligent, maybe,
21 when I talk.

22 MR. SHIM: Yeah, I think that what was
23 identified is that since there was an increase in
24 the risk that the reserves need to at least catch
25 up to that.

1 CHAIRMAN RABINOWITZ: Keep in mind you'll
2 have a copy of this transcript, so whatever you
3 don't remember in addition to your personal
4 written notes, you'll have --

5 Anything else from anybody?

6 MR. HERBST: Like you said, I think keeping
7 it brief is --

8 CHAIRMAN RABINOWITZ: Any other discussion
9 for this evening?

10 MR. HILLBERG: Sorry. One very small item.

11 CHAIRMAN RABINOWITZ: Please.

12 MR. HILLBERG: Just like almost a typo. I
13 saw through the review of the big report,
14 quarterly report, that a lot of the closeout
15 phasing is occurring, the dates are occurring
16 before the end of construction. So I think
17 that's just a glitch that needs to be fixed. I
18 saw it probably half a dozen times.

19 CHAIRMAN RABINOWITZ: The only other thing
20 that I would mention is, and it wouldn't be a bad
21 thing to do, on a positive note, to the extent
22 that the board hasn't seen it or is not patently
23 aware, is the success of Communications in
24 disseminating information. If the board already
25 has it there's no reason to reiterate it. I

1 mean, I just -- I ask Communications if they
2 already have it or if they don't have it should
3 be something we mention.

4 Are they aware of metrics that you provided
5 to us?

6 MS. GARTH: They are aware of the campaign
7 but perhaps not the level of detail with the
8 metrics so I certainly think it would be helpful
9 to bring it up.

10 CHAIRMAN RABINOWITZ: Maybe finish it with a
11 positive to wrap it up. Thank you.

12 MS. GARTH: Thank you.

13 CHAIRMAN RABINOWITZ: You're welcome.

14 MS. CARPENTER: Can I just ask a clarifying
15 question? Steve, can you tell me again what you
16 just said?

17 MR. HILLBERG: Okay. In the School
18 Spotlight, the little table that's in the middle,
19 not the budget table, the one on the right that
20 shows all the phases. Many times the phase for
21 closeout shows, even the same quarter says Q1
22 2022 and then finishes Q1 2022, which they
23 finished in one quarter which I suppose could
24 happen, but a lot of times the construction above
25 it finishes in Q-something 2023. So the closeout

1 is happening, the date, before construction, so
2 that's a --

3 MS. CARPENTER: I see what you're saying.

4 MS. LANGAN: Yeah, we'll definitely take a
5 look at that.

6 MR. HILLBERG: Just a review and edit, just
7 check. That's all.

8 MS. LANGAN: Thank you.

9 CHAIRMAN RABINOWITZ: Anything else?

10 (No response.)

11 CHAIRMAN RABINOWITZ: Hearing none, we simply
12 need a motion to conclude the meeting.

13 MR. HILLBERG: So moved.

14 MR. HERBST: Second.

15 CHAIRMAN RABINOWITZ: All right. We're
16 concluded.

17 (Meeting was concluded at 7:53 p.m.)
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REPORTER'S CERTIFICATE

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STATE OF FLORIDA
COUNTY OF BROWARD

I, Timothy R. Bass, Court Reporter and Notary Public in and for the State of Florida at Large, hereby certify that I was authorized to and did stenographically report the foregoing proceedings, and that the transcript is a true and complete record of my stenographic notes thereof.

Dated this 21st day of December, 2021, Fort Lauderdale, Broward County, Florida.



TIMOTHY R. BASS
Court Reporter

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