

BROWARD COUNTY PUBLIC SCHOOLS
BOND OVERSIGHT COMMITTEE

KC WRIGHT ADMINISTRATION CENTER
BOARD ROOM
600 SE 3RD AVENUE
FORT LAUDERDALE, FLORIDA
SEPTEMBER 19, 2022
5:38 P.M. - 7:32 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
Joris Jabouin, Chief Auditor
Erum Motiwala, Chief Financial Officer
Judith Marte, Deputy Superintendent, Operations
Robert Ballou, Director, Economic Development &
Diversity Compliance
Matthew Bradford, Executive Director, Information
Technology
Perla M. Tarrau-Ayala, Chief Building Official
Yvonne Garth, Garth Solutions, President/CEO

Bond Oversight Committee Members:

Steve Hillberg, P.E., Civil Engineer
Latha Krishnaiyer, Broward County Parent Teachers
Association
Tommy Demopoulos, Fire Inspectors Association of
Broward County
Jose R. Cortes, Director, Department of Design
Construction Management

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P R O C E E D I N G S

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3 MR. HILLBERG: All right. Let's go ahead and
4 get started. A previously stated, we were
5 waiting for a new member. We can't reach her at
6 this moment, so we're going to have to go ahead
7 and go.

8 So, the Call to Order. I made.

9 Item B is the Vote for the New Member. I
10 think we can do that without the member present.

11 MR. SHIM: No, you cannot.

12 MR. HILLBERG: We cannot do that without the
13 member present.

14 So we will skip B and we'll go to C, Nominate
15 and Vote for the Bond Oversight Committee
16 Vice-Chair. I would like to defer that until the
17 next meeting. Okay. That's deferred. Good.

18 Item D, Approval of Minutes from the FY22 Q2
19 meeting, can't do that.

20 I like this meeting.

21 Presentation by District Staff? And we can
22 do that.

23 All right. So first up is the Timeframes for
24 the remaining Safety and Security Projects.

25 MS. LANGAN: Good evening. Kathleen Langan,

1 AECOM Program Director. I think we're -- I'm not
2 sure about the organization, I think we have our
3 Safety and Security Projects further in the
4 presentation. Would you like us to go to that
5 portion or shall we just start with our
6 presentation? Whatever works for the committee.

7 MR. HILLBERG: Well, it's one page; right?
8 It's in the early part?

9 MS. LANGAN: It's about midway through, if
10 you want to pass through the presentation and
11 just go to that slide.

12 There's actually three slides that we have an
13 update for the committee on this evening
14 regarding Safety and Security. Just bear with us
15 one -- one second here. Here we go.

16 Okay. So what we did for the meeting today
17 was we broke out Safety and Security projects to
18 give the committee and the public a little bit
19 better picture of what was included for security
20 in the SMART Program.

21 So, as you can see, I won't read all of these
22 words, but, basically, the work for security that
23 was included in the SMART Program was the Single
24 Point of Entry projects and then some additional
25 fencing at those schools. That was 170 schools

1 which included additional fencing, as I
2 mentioned, and that work was completed in July of
3 2019. So all of the security projects finished
4 in 2019.

5 What -- no, if you'd just jump back for me?

6 What we do show you is that there are
7 school-based projects, security projects, and
8 these were including air phones, cameras,
9 intercoms, buzzers, and those were installed at
10 the single point of entry. Electric strikes on
11 campus, secondary access doors, standalone card
12 reader systems, single point of entry door
13 viewers, rekeying of doors and counters and swing
14 doors. All of those projects deemed completed on
15 or about December 31st of 2021. Again, that was
16 school-based projects. That was the title of
17 that.

18 And then, of course, we have the hardening of
19 the single point of entry. The Superintendent
20 gave a great update at the board meeting last
21 week. And you can see the status of all of
22 those. And these were based on grants that were
23 received and other funding. And so you can see
24 we're referencing the Superintendent's report as
25 of September 13th, and that -- we just wanted to

1 clarify that.

2 So if we move to the next slide, this is just
3 a repeat of the single point of entry.

4 And then moving to the following slide which
5 would be the Safety. So the fire alarm and fire
6 sprinkler, those are the categories. You've seen
7 this slide before. And there is some overlap of
8 projects. Obviously, fire alarm and fire
9 sprinkler, there are -- that scope is in projects
10 combined. So you can see that 20 are in hire
11 contractor for the fire alarm, 24 for sprinkler,
12 and so on.

13 I would note that we have been pulling
14 together the details of the status of each of
15 those projects with fire alarm and fire sprinkler
16 to give the district, the school board, and the
17 Superintendent, a little bit more detail on the
18 update. And we'll be happy to provide that to
19 the committee. We expect that that will be
20 finished no later than Friday of this week. So
21 we'll be happy to transmit that to the committee.

22 MR. HILLBERG: Okay. TaxWatch?

23 MR. NAVE: Thank you, sir. As we pointed out
24 in our report, there are -- we identified 141
25 primary renovations projects that, as part of the

1 activities that are bundled with those projects,
2 include Safety and Security features.

3 In addition to the fire alarms and
4 sprinklers, things like lightning protection,
5 emergency exit signage, ADA improvements; and
6 things like that.

7 In our report we looked at the status of
8 those primary renovations projects and we
9 identified for the committee those that had been
10 flagged for delays. And we also made clear in
11 the report, and I think it's important to note,
12 that a lot of the Safety and Security activities
13 that are bundled into these primary renovations
14 projects may already be in place and operational.
15 It may be something like roofing or some other
16 activity that is the reason for the delay.

17 So we didn't draw any conclusions. We didn't
18 make any recommendations. It's just Chief
19 Demopoulos had asked us to do a deeper dive and
20 we did it and that's what we presented to you.

21 MR. HILLBERG: Any comments from the
22 committee?

23 CHIEF DEMOPOULOS: Thank you. Thank you for
24 the detailed report and for giving that
25 information.

1 I will say, you know, when I first started in
2 this role I was a little bit surprised to only
3 see that this ginormous scope of work in the bond
4 really only had the hardening of or the single
5 point entry; if I may?

6 I still am very disappointed. I don't
7 believe that project is done. I know we were
8 done with it X amount of years ago. Single point
9 to a point is complete, but this multilayered
10 approach and school hardening and vestibule
11 hardening is not done by far. I only speak for
12 Tamarac schools because that's the ones that I
13 have been into, personally, and I do the Florida
14 Safe School Assessment Tour each year with the
15 school district and our law enforcement and we
16 fill out every year these items, such as
17 perimeter fencing and hardening of vestibules and
18 things like that each year and each year nothing
19 happens.

20 And I get that's not directly tied to some of
21 these projects, but, originally, and years ago,
22 the fire service in Broward County was told, hey,
23 these projects will be completed, some of which
24 were fire sprinklers. Some of these buildings
25 that have no fire sprinkler protection, we were

1 informed that they would have it. Some of these
2 buildings that had old and antiquated fire alarm
3 systems, we were told would be upgraded and
4 replaced.

5 So the legend or the list that you guys have
6 -- or the table, I'm sorry, with the fire alarms
7 and the sprinklers, I want to say that that's
8 really due to the construction or the
9 renovations. Hey, we're gonna construct or do
10 something in this room, I'm moving a sprinkler
11 head from one to another, yeah, that counts to
12 it, but that really is not brand new installation
13 and enhancing the life safety of the school and
14 the students.

15 So from a fire service end, it's
16 disappointing. I don't believe it's done. I
17 will still continue to say at every meeting that
18 more work needs to be done for the school
19 hardening, the vestibule hardening, and things
20 like that. And it's not there. So thank you.

21 MR. HILLBERG: Comments?

22 MS. LANGAN: I would just say that, you know,
23 that is not part of our scope in the SMART
24 Program outside of fire alarms and the
25 sprinklers, some of those other elements. But I

1 would also say that the Superintendent is
2 extremely focused and that's why she has given
3 the update that she did last week to the board
4 and the public. And so I think that -- that is
5 an issue.

6 I will also say for TaxWatch purposes, and
7 we'll get into it a little bit more, but the
8 listing of projects that were noted as flagged
9 for schedule are actually not flagged. We had a
10 technology glitch where we uploaded from MPUs and
11 we're not sure exactly what happened, but that's
12 corrected now and uploaded. So we'll get into
13 that in a little bit more detail.

14 I would also just offer that, as I mentioned,
15 we are getting into deeper dives on the status of
16 the fire alarms and the sprinklers and so we will
17 make sure that we get a follow-up to you.

18 CHIEF DEMOPOULOS: Thank you.

19 MS. LANGAN: You bet.

20 MR. HILLBERG: Okay. Let's move on to
21 Primary Renovations Projects Delayed since
22 Adoption of the New Schedule.

23 MS. LANGAN: Okay. So this is our dashboard
24 that's divided by phase. We have -- I'm not sure
25 if the committee knows, but there are

1 approximately six projects that we have moved
2 back to planning that will be further studied in
3 the long-term plan, and so those are reflected
4 there by the number 4.

5 We have only 20 projects left in Design. So
6 we have moved projects very quickly. We have 17
7 in Hire Contractor. We have 189 under
8 Construction and 61 in Construction Closeout.

9 I will add that this is specifically only the
10 SMART Projects.

11 As you all know, we manage the Capital
12 Program and so there's a lot more. We have about
13 200 in construction right now and about 100
14 closing out, so --

15 But focusing on SMART, you can see the
16 progress that was made since the last report,
17 March 31st.

18 MR. HILLBERG: Okay. TaxWatch?

19 MR. NAVE: Don't have anything to add to
20 that. I would love to hear more on the actual
21 number of projects that are -- have been flagged
22 for delays. And I don't know if you're going to
23 do that later, Kathleen, or when.

24 MS. LANGAN: Yes.

25 MR. NAVE: Okay. Then I don't have anything

1 at this point.

2 MS. LANGAN: We'll do that. We've given a
3 lot of detail to you on that.

4 MR. HILLBERG: Comments from the committee?

5 (No response.)

6 MR. HILLBERG: I have a comment. Yeah, I
7 guess it'll go here.

8 So, in the rebuttal or the response to
9 TaxWatch comments of June, Mr. Bays provided a
10 document going over the projects. There are
11 21 -- there were 37 total that were delayed. 21
12 of them were owner delays. And while reading
13 through the list, one particular thing kept
14 coming up over and over again and it reads like
15 this. This is just an example, but 99 percent of
16 all contract work is complete. The inspector is
17 directing additional work. I want to know how
18 that happens. I've never seen in my limited
19 experience that an inspector has any authority to
20 direct additional work. And, one, how does this
21 happen? Who has the authority to add scope and
22 additional taxpayer money and affect the project
23 like this? Number two is how come it's at the 99
24 percent complete portion? I'm sure the inspector
25 has been out there -- well, I hope the inspector

1 has been out there many times. And as part of a
2 design, the design should be looking at, you
3 know, what needs to be brought up to code. I'd
4 like to know -- and this is -- I've highlighted
5 this, in the 21 projects it's more than half.
6 And it's all at late stage of completion and the
7 inspector is directing more work. And for a
8 program that is terribly behind schedule, this is
9 very bad concerning development.

10 So could you please comment on how this
11 happens? Is it something that can be mitigated
12 or removed?

13 MS. LANGAN: Yes, it has been a significant
14 issue for the program. I believe now we are
15 getting it under control. With the help of the
16 new Deputy Superintendent we actually have
17 scheduled to have weekly meetings with the entire
18 team including the building department, but also
19 the Chief Fire Marshal, looking for ways to be
20 able to be a little bit more consistent through
21 the schools. I think what you're seeing is a
22 reflection of the inspector's interpretation of
23 the design guidelines as well as building code.

24 So when the inspector comes forward with a
25 late adjustment or request for additional scope

1 on building code, obviously, we look at that very
2 seriously and we accommodate the direction.

3 Now, when they direct design changes -- or
4 changes in the construction of design standards
5 we push back on that pretty hard now. And we're
6 really at a point with -- and this has been an
7 ongoing issue for a year, where we've been trying
8 to work it out where we are only adding what is
9 absolutely necessary with the code.

10 Since Mrs. Marte has come on board we feel
11 that that's been empowering to the entire team,
12 the Capital Program, building department and
13 everyone, to be able to make decisions not to add
14 that scope.

15 So I think we have come up with a mitigation
16 plan and we are implementing that as we speak.

17 MR. HILLBERG: And one fictional example of
18 that --

19 Yes, Mrs. Marte?

20 MRS. MARTE: Thank you, sir. I probably
21 don't need a microphone.

22 I want to thank Kathleen for the kind words.
23 I do want to share though that the collaboration
24 with our chief building official has been
25 stellar. Her willingness to work with the

1 program and to make sure we stay on track and
2 that we stay in scope has been amazing.

3 So I want to make sure that the Bond
4 Oversight Committee is well aware that my role is
5 to get everybody to play in the sandbox together.
6 And what has been happening, with all good intent
7 and people wanting to do the right thing, were, a
8 decision would be made, well, what about this,
9 well I'll get back to you, and then a week goes
10 by, well what about this, and a week goes by.
11 And we have taken out all of that. We get
12 everybody in the room, we focus on key projects,
13 key concerns, the Capital Program, AECOM and our
14 chief building inspector all share and get to a
15 solution to move forward. So it's been -- I know
16 Kathleen gave me credit, Superintendent
17 Cartwright implemented these weekly meetings over
18 the summer to keep our summer on track. We had a
19 very successful opening of school in spite of
20 having in excess of 175 projects going on across
21 the district because of that collaboration. And
22 because it was so successful I sat down with my
23 supervisor, Dr. Cartwright, and said, let's keep
24 it going.

25 I also make it a point, sir, to attend as

1 many of those meetings, myself, as I can, so I
2 can make sure that if there are obstacles that I
3 can remove, for the team, that I'm doing that.

4 Thank you.

5 MR. HILLBERG: As a follow-up, did you tell
6 the building inspector no or whatever the
7 inspector is, it's not in the plan, we have a
8 contract, all these items are on here, that's not
9 in it?

10 MRS. MARTE: Respectfully, sir, the building
11 inspector, who's newly appointed by
12 Superintendent Cartwright is a member of the BCPS
13 team.

14 MR. HILLBERG: Uh-huh.

15 MRS. MARTE: And I am not qualified to tell
16 them, no. What I will tell you is that our
17 current chief building official will protect the
18 children and the interest of the district by
19 doing exactly what her job requires her to do.
20 But any time that she can help with the solution
21 she has been more than forthcoming in doing so.

22 MR. HILLBERG: Schedule be damned.

23 MRS. MARTE: No, she's working very hard to
24 help keep us on schedule. But we've got to make
25 sure that we're compliant with all phases of the

1 Florida Building Code as we do this construction.

2 I really need the Bond Oversight Committee to
3 understand. I am coming back to the district in
4 a different role, but as cabinet member in my
5 former role, I had a lot of opportunity to watch
6 some of what was going on with the program. And
7 I am very confident in saying that our current
8 chief building official is working very hard to
9 keep us on track while discharging her duties
10 correctly.

11 MR. HILLBERG: Okay. One item was also Royal
12 Palm Stem Magnet, the fire department, building
13 department is now requiring that more than 100
14 fire alarm devices that have been given a permit,
15 inspected and approved now be removed and
16 replaced. The permitted devices are imprinted
17 with the word Fire and are approved by the NFPA
18 but now the departments want these devices to be
19 removed and replaced with devices imprinted with
20 Alert.

21 Does that not strike anybody as absurd?

22 Why? Why is that happening?

23 Why would that at the late stage when
24 everything is all through the permitting is there
25 a retroactive clause that says you have to go

1 change something?

2 I would -- it just seems strange. I'd like
3 to know more about how that would happen.

4 MR. BAYS: Is Royal Palm one of our focus
5 schools for the -- or is it in any way one of
6 those schools where they augmented the system?
7 I'm not familiar with this language.

8 MS. LANGAN: We would have to get back to you
9 on that. That is -- that's what we're talking
10 about with the consistency and making sure that
11 we understand and have a clear understanding of
12 all of the elements of what the fire chief is
13 looking at. And, especially, when these things
14 occur, we immediately get with him and his team
15 to validate the fact that, that does have to
16 happen? And in a lot of cases it does not. In a
17 lot of cases they will rescind that direction.

18 Just, I would like to add what Mrs. Marte
19 said that, you know, the chief building official
20 just in the last two weeks, we have had three
21 meetings with her to ensure that we have a plan
22 in place to work through the issues that we have
23 with the projects that are almost 100 percent
24 complete that are requiring additional work. So
25 we are going through those one by one and

1 validating them to see if we absolutely have to
2 do this additional work, if it's code or if it's
3 a design standard. If it's a design standard we
4 absolutely have the ability to evaluate that and
5 make a recommendation.

6 MR. HILLBERG: Thank you.

7 Moving on.

8 Oh, Chief Demopoulos?

9 CHIEF DEMOPOULOS: Sorry. Thank you. I know
10 you had mentioned adding fire to that group, was
11 that also what Mrs. Marte was talking about?

12 MS. LANGAN: Yes, sir.

13 CHIEF DEMOPOULOS: Okay. So I was going to
14 say you talked very highly and positive about the
15 chief building official, but, hopefully, the
16 chief fire official is also in those meetings and
17 participating in that as well.

18 MR. HILLBERG: Mrs. Marte?

19 MRS. MARTE: I didn't come to speak tonight,
20 but apparently I'm going to have to speak a
21 little bit.

22 Sir, you are absolutely correct. That
23 partnership involves our task assigned fire
24 official and I will tell you, because I spent
25 most of my summer, seven days a week, out with

1 Mr. Bays, out with Mr. Dorsett on construction
2 sites on weekends. I know more about building
3 code and fire sprinklers than I ever thought this
4 64-year-old lady could learn at this stage of the
5 game. His commitment is evidenced by the opening
6 of Pasadena Lakes with no noise when a weekend
7 before school was set to open we had to get the
8 building official, the fire official -- Mr. Bays,
9 give me the list of those -- all of the
10 construction team from -- is it West
11 Construction?

12 MR. BAYS: And half the building department.

13 MRS. MARTE: We were all on-site the entire
14 weekend. And we worked 24/7 shifts and all the
15 inspections were done because the fire official
16 had staff there waiting to inspect as work got
17 done, the building official, the same thing. And
18 you didn't hear any noise about a school that I
19 was pretty afraid was not going to open
20 successfully because of all the hard work
21 everyone did together.

22 And, again, I'm going to say the same thing.
23 We have opportunity to get better. I am not
24 going to pretend that everything is rosy.

25 But I will tell you that the level of

1 commitment everybody has to get us here, where I
2 think we failed, honestly, in the past there has
3 been some obstructionism, I commit to you that
4 under my watch I will not allow that to happen.
5 My goal is always getting us to here as
6 expeditiously as possible.

7 But thank you for bringing that up, sir. He
8 has also really stepped up and committed to being
9 strategic and innovative on how we do work in
10 pieces to get it to completion. It's not
11 everything's done, I'm not coming back until
12 everything's done. If we can inspect this phase
13 of the fire sprinklers, Mrs. Marte, I'm going to
14 do that. And then I need to do this once they
15 finish this, we're doing a lot more of that than
16 we used to.

17 CHIEF DIPETRILLO: The only other thing I
18 would add is, when you were mentioning 99 percent
19 and then the inspector requires something
20 additional, just to clarify for reporting
21 purposes, is it really the inspector requiring
22 something or was it an omission that the
23 inspector said it's now requiring, just to make
24 sure we're reporting properly. Because I've been
25 on many inspections where they don't have

1 something and I require it, yes, but it was
2 because it was missed. So just for the
3 documentation and potential reimbursement, make
4 sure that's documented properly.

5 MS. LANGAN: Will do.

6 MR. HILLBERG: Okay. Let's go to Status of
7 The Big 3 Schools.

8 MS. LANGAN: Okay. So we had -- I beg your
9 pardon. I'm sorry.

10 TaxWatch had noted and when we went back to
11 look at the comparison of our Spotlights to the
12 Executive Summary we had updated our Executive
13 Summary and did not get back to the Spotlight.
14 So we have corrected that and you will see here
15 that Blanche ELY High School, the new group sink
16 is procured now to replace the vandalized one
17 that was a long lead item and actually since the
18 time that this was written we have received it
19 and the contractor is installing it as well as
20 closing some inspection tickets at the same time.

21 And then the consultant has issued his
22 substantial completion as all contract work is
23 completed. But in order to meet the requirements
24 for the district we need a 110B which will happen
25 once we clear those inspections.

1 Northeast High School, the primary
2 renovation, substantial completion is Quarter 1
3 of 2023.

4 We do have some issues at Northeast High
5 School regarding the structural integrity of the
6 units that will go on top of the roofs and the
7 building department has rightly required that the
8 engineers of record look at the calculations and
9 ensure that those roofs can withstand the new
10 equipment with the new weights. So that is a
11 potential delay and we are working with the
12 contractor on a time impact analysis and
13 forecasting in regards to completion date.

14 The new building addition is proceeding. We
15 did get a notice to proceed and the construction
16 manager has mobilized for earthwork and site work
17 to begin.

18 Stranahan High School that was -- we did look
19 at that for a substantial completion in Quarter 3
20 of 2022. We were able to complete the chill
21 water lines on building 9, which will open up for
22 the roof to be complete. We have had some
23 changes in building 6 with the kiln room. We
24 actually permitted that on a separate permit to
25 get that done in a quick manner. And the

1 contractor we have issued CCD for the contractor
2 to proceed on that work.

3 We also have looked at the building 17 and 18
4 on Stranahan, both of which have structural
5 issues. So building 18 we are awaiting an
6 engineering report on the south end of that
7 building. We already replaced the roof on the
8 north end and on building 17. That building is
9 used for storage. It does house the main panel
10 for the fire alarm, but we are proceeding with a
11 Castaldi report on that building.

12 So the risk level, we have decreased that
13 because we do have a mitigation plan in place.
14 CCDs have been issued and the time impact
15 analysis is being developed and under review.

16 I would like to say that, just for the
17 committee's benefit, that we have now gotten --
18 received four additional positions for AECOM
19 claims experts and schedulers through up north
20 and they are working with us to clear time impact
21 analysis. We probably have about 60 that are
22 behind that we have, you know, stacking up on us.
23 So lots of issues with that, but we have added
24 staff to make sure that we can meet the
25 obligations of getting back on the schedule, so.

1 Or if the contractors are deserving of time that
2 we give that time to them.

3 Okay. So that's The Big 3.

4 MR. HILLBERG: TaxWatch?

5 MR. NAVE: Yes, sir. First, I'd like to hear
6 a little bit more about the district's response
7 to the TaxWatch recommendations. The committee
8 obviously has access to a document we have not
9 seen. So I'm just curious.

10 MR. HILLBERG: We don't have a response.

11 MS. LANGAN: We have -- I believe we do have
12 this in the presentation. So if you'd like to
13 open those so that TaxWatch can see the
14 responses?

15 MR. NAVE: I'm not going to read the
16 responses here tonight.

17 MS. LANGAN: Okay. Well, this specifically
18 was the spotlights that were corrected due to the
19 error in data transfer. We talked a little bit
20 about that.

21 I'm not sure why you don't have the responses
22 in advance. I thought those were transmitted to
23 you.

24 This is -- I'm sorry?

25 MR. HILLBERG: The chatter is we didn't get

1 it. Never mind.

2 MR. NAVE: With respect to The Big 3 Schools
3 though, excuse me, I think it's important to
4 remember why there's a Big 3 section in this
5 report. And if you'll remember, a couple years
6 ago, the committee asked the district to include
7 a section on The Big 3 schools because those were
8 the schools that you all were getting asked about
9 the most often by the taxpayers.

10 We have to assume that if the taxpayers read
11 one section in that report, that's going to be
12 the section they read. It's absolutely critical
13 that that section explain the status of the
14 projects. And if there are delays, and we saw it
15 in Q3 and we saw it in the Q4 report where
16 substantial completion is moved back a quarter,
17 there's no mention of that in that section nor is
18 there any explanation for the reason for it.
19 We've had risk go up and no mention, no
20 explanation.

21 So I think we're at a point where either that
22 section of the report needs to be done properly,
23 accurately, and concisely, or it needs to be
24 taken out of the report. It's misleading as it
25 exists today.

1 MS. LANGAN: We agree that that part of the
2 report -- actually, all of the report has to be
3 accurate and we have to do a good job to make
4 sure our quality control is spot on to ensure
5 that that doesn't happen.

6 I will say, though, that, you know, schedules
7 are a living document, and in some cases, you
8 know, schedules will extend and in other cases,
9 as we've shown in one of our slides, we have 45
10 projects that are ahead of schedule.

11 So this is going to continue up and down. We
12 think that the critical element of this is that
13 the program is on schedule to complete
14 substantial completion of all projects in October
15 of '25, as we have projected in our master
16 schedule. So -- but we do certainly agree with
17 TaxWatch that we have to do a better job. We
18 definitely have had some glitches in this month's
19 report.

20 MR. HILLBERG: Okay. I believe Mr. Bays
21 is about to --

22 MR. BAYS: Mr. Nave, I thought that when we
23 had a discussion, it was prior to our meeting in
24 the start of summer, the last meeting we actually
25 had, I thought that at that meeting we brought

1 the responses to the meeting and I thought that
2 was in satisfaction of a gentlemen's agreement
3 that you and I had at this forum where we said
4 that if we would answer the responses at the
5 meeting we would never have a follow-up. So I
6 thought that we were doing that henceforth, so
7 that bringing the responses here was the
8 expectations. If that was not the case, I'm
9 truly sorry.

10 MR. NAVE: My understanding of our
11 gentlemen's agreement was that, if the district
12 came to these meetings prepared to discuss the
13 issues and recommendations in the TaxWatch report
14 then there wouldn't be a need for written
15 follow-up. We have a court reporter that takes
16 down everything we say. But what I'm hearing
17 today is that there's still a written response to
18 the TaxWatch recommendations. That's what I
19 don't understand.

20 MR. BAYS: Oh, I think that now we're really
21 into real nuance. We, of course, in order to
22 prepare those responses come tonight ready to
23 answer any questions and provide full responses.
24 It was never our intention to not answer the
25 questions here tonight. And I fully accept that

1 is exactly what I understood of our agreement.

2 So am I -- Omar, perhaps, you could help me
3 understand. Am I missing something?

4 MR. NAVE: Let me give this a shot, Omar, if
5 you'll give me a chance.

6 The problem -- the reason for that discussion
7 in the first place was, one, the district didn't
8 respond to all of the TaxWatch recommendations.
9 They were cherry-picked. There were four or five
10 out of 10 or 12 that were addressed in the
11 report. And then, two, by the time we discussed
12 those recommendation six months has passed, so
13 they're not even timely.

14 MR. BAYS: Do you mean previously or do you
15 mean tonight?

16 MR. NAVE: Previously. I don't know what
17 you've done tonight because I haven't seen
18 anything.

19 MR. BAYS: Okay. So fully accept. And you
20 said to me if we would come prepared, because the
21 previous understanding this group had, my
22 predecessor, was, we would come here and we would
23 take input and provide a response back in the
24 subsequent weeks. And you and I agreed we would
25 not do that, we would bring responses here.

1 MR. NAVE: Yeah, the committee may require
2 written responses. But if the district comes
3 prepared to prepare to discuss the issues we've
4 raised in our report then I don't see a need for
5 a separate written response. That seems to be a
6 waste of your time and you guys don't have a lot
7 of time to waste.

8 MR. BAYS: Thank you. So we agree.

9 MR. NAVE: Okay. We're cool?

10 MR. BAYS: We're very cool.

11 MR. NAVE: All right.

12 MR. BAYS: Thanks.

13 MR. NAVE: Thank you.

14 MS. GARTH: May I just offer a point of
15 clarification in terms of the presentation? What
16 we actually did -- we did put together the
17 written responses and they're prepared to be
18 distributed, but we also captured those on the
19 slides in the presentation so that we could talk
20 through them as we go through each question. So
21 you'll notice on the slides, we put every single
22 one of your recommendations on the slide and what
23 the response is. It's a lot of words, but I
24 think the intent was the team here would verbally
25 walk through each one of those for you.

1 MR. NAVE: If that suits the committee, it's
2 fine with me.

3 MR. HILLBERG: Organizationally, how do we go
4 back to it depending, I mean, which item we're
5 on? So we're on The Big 3, so we'll have to look
6 through which ones pertain to The Big 3, and then
7 the next bullet item, we'll have to go back and
8 pick those up, and we'll have to keep going back
9 to the list. Is that -- that seems a little bit
10 cumbersome to me.

11 Well let's give it a try. What do we have on
12 The Big 3?

13 MS. LANGAN: Well, those, I think, we already
14 addressed through those previous slides. This
15 was the specific response that we showed on the
16 slides as well as on this slide and I, basically,
17 outlined exactly what this slide says.

18 So the recommendation was that we summarize
19 the status of The Big 3 schools that is concise,
20 complete and balanced. Information included in
21 this summary should be consistent with, and not
22 in conflict with, information on the School
23 Spotlight for each Big 3 school. And that's
24 absolutely correct.

25 So, as I mentioned, we updated the Executive

1 Summary and it didn't get back to the Spotlight.
2 So we will make sure that that doesn't happen
3 again.

4 MR. NAVE: Mr. Chairman, let's be clear, what
5 TaxWatch is suggesting is that that level of
6 detail go in the report in The Big 3 section.
7 Not to come to this meeting and explain it, but
8 put it in the report so when the taxpayers read
9 it they'll have it.

10 Are we clear on that?

11 MS. LANGAN: Understood. I totally
12 understand. Yes.

13 MR. NAVE: All right. Thank you.

14 MR. HILLBERG: It's too many different
15 places. We want to consolidate it. Okay?

16 Is there another --

17 MS. LANGAN: Yes, the next recommendation.

18 So this recommendation specifically addresses
19 the TaxWatch recommendation that the -- to the
20 Bond Oversight Committee that an updated and
21 current running list of financial penalties that
22 have been collected from firms for the
23 design-related delays. So the response is that,
24 as the design phase of program is nearing to a
25 close, there will not be a significant change in

1 the design delay penalties. A summary report
2 will be given in the presentation to the BOC.
3 When the district pursues damages related to
4 consultant errors and omissions construction
5 change orders, those will be reported to BOC.

6 So if you go to the next slide?

7 MS. CARPENTER: We're going in reverse order,
8 sort of, for the record.

9 MR. HILLBERG: Yes, this is too cumbersome.

10 MS. CARPENTER: Let's go back to number 1 and
11 then -- thanks.

12 MS. LANGAN: So Recommendation Number 3,
13 Florida TaxWatch recommends that SBBC delegate
14 authority to approve change orders less than
15 \$15,000 to the Superintendent or other senior
16 official. And that is at the September 13th
17 regular scheduled board meeting, Item PP-11,
18 included a revision to the Approval of
19 Facilities' Construction Change Order Policy
20 Number 8000. The policy rules can be found
21 within the TaxWatch Response that is written.

22 But, basically, that policy changes to
23 provide for the Superintendent to authorize
24 change orders up to \$25,000.

25 MR. HILLBERG: Anything, additional items

1 pertaining to The Big 3?

2 MS. LANGAN: No, sir.

3 MR. HILLBERG: Okay. Let's move on.

4 Oh, Committee response. Okay. Sorry.

5 Yes, sir, Chief.

6 CHIEF DEMOPOULOS: Thank you. So in regards
7 to the change orders, is that actually going to
8 happen now? Is this official and they're going
9 to act on, hey, anything under 25,000 doesn't
10 have to take the 192 days to get change orders
11 and --

12 MS. LANGAN: Well, I would like to say that
13 regarding the timing, we have made a lot of
14 changes both in our e-Builder System as well as
15 processes to reduce the amount of time it takes
16 for change orders to move. The change order
17 timing was not just solely resting on, obviously,
18 the school board approval. And what we're seeing
19 right now is just the start of our implementation
20 of some of these changes. And, in fact, you will
21 see tomorrow in our audit that as we look at
22 those, there still is a significant amount of
23 time that it takes for change orders to be
24 processed. So we continue to work on that. But
25 suffice to say for this particular issue with the

1 school board approving, it should assist us in a
2 lot of different ways to be able to move forward.

3 CHIEF DIPETRILLO: Thank you.

4 MR. HILLBERG: Okay. With no objections
5 we'll move on to Action taken by the District or
6 the School Board to Minimize Design and
7 Construction-Related Delays.

8 MS. LANGAN: This is a recommendation that we
9 have worked on, Recommendation 5, where, as you
10 mentioned, the school -- the district takes steps
11 by the building department to reduce the number
12 of back and forths between design firms and the
13 building department. This has happened. This
14 has been a significant change for us. As Mrs.
15 Marte mentioned, the chief building official and
16 Ashley and myself have worked together to make
17 sure that we work together in tandem to reduce
18 the amount of back and forth. We actually also
19 schedule a meeting every other week to work
20 through any issues that we have with the
21 designers, or even, you know, pre-construction,
22 whatever it is, we are meeting every other week
23 to resolve any issues. So that is working very
24 well. And I'm not sure if the chief building
25 official is here --

1 MR. BAYS: She is.

2 MS. LANGAN: -- this evening.

3 Sorry, I didn't recognize you with your mask
4 on. So, Perla, if you would like to add
5 anything?

6 MS. TARRAU-AYALA: Perla Tarrau-Ayala, Chief
7 Building Official. So, yes, we are working
8 together to minimize the number of re-submittals,
9 but we also have to keep in mind that the number
10 of re-submittals has nothing to do with the
11 building department. The number of re-submittals
12 has all to do with the quality of the drawings
13 submitted to us. So if the drawings are bad
14 you're going to go through a lot of
15 re-submittals. But what we have done and we have
16 partnered with the PMOR and when we get to a
17 point where we feel we're comfortable with the
18 number of comments that we have left, I mean, if
19 you have 20 comments, we're not going to have a
20 standup review, we're not going to make revisions
21 to drawings because you're so far away from a
22 permit. But if we get to the point where we have
23 five comments or six comments, we call the PM and
24 we have them come into our office, we go over the
25 drawings, we call the architect, we meet with

1 them. We let them come to our office, change the
2 sheets. So rather than sending the drawings back
3 and wasting all that time, they come into our
4 office, we revise the drawings, we change the
5 sheets, and we go ahead and issue a permit. So
6 that's what we're doing.

7 MR. HILLBERG: Thank you.

8 MS. TARRAU-AYALA: Uh-huh.

9 MR. HILLBERG: TaxWatch?

10 MR. NAVE: I would just remind the committee
11 that the 2018 schedule was based on the
12 assumption that there would be two back and
13 forths between the design firm and the building
14 department. When AECOM came in they noticed that
15 it was trending at 9 to 10. And when the 2020
16 schedule was offered that was based on the
17 assumption that there would be five back and
18 forths, as I understand it.

19 MR. HILLBERG: Uh-huh.

20 MS. TARRAU-AYALA: Right now we are, I think,
21 averaging between three and four. We don't even
22 make it to five. Because when we get to three we
23 stop it. We say we've got to do something.
24 We've got to bring the proposer in and we've got
25 to talk to them and see how we can fix this

1 drawing. Because it's time-consuming. You know,
2 nobody has an unlimited number of stuff to
3 make -- you know, to keep on doing the same thing
4 over and over again.

5 MR. HILLBERG: Appreciate it.

6 MS. TARRAU-AYALA: Uh-huh.

7 MR. HILLBERG: Okay. Comments from the
8 committee?

9 CHIEF DEMOPOULOS: I thank you. Because in
10 our city as well doing plan reviews eight times,
11 you know, we would not have a job anymore if we
12 had to review plans eight times. So it's nice to
13 see that you all are getting together
14 preconceptually, pre-construction drawings,
15 having those meetings, and then at that third
16 time, you know, kind of, hey, let's stop going
17 back and forth, let's have a meeting face to face
18 and review the comments. So it's good to hear
19 that. Thank you very much for your action on
20 that. Because that is a big concern of mine.
21 Thank you.

22 MR. HILLBERG: I agree. Without objection
23 we'll move on to Primary Renovations Projects
24 Experiencing Budget-Related Issues.

25 MS. CARPENTER: I can speak to this one.

1 Ashley Carpenter with Atkins.

2 So the recommendation was that a budget flag
3 summary report be included in the front section
4 of the BOC in the Facilities section, so that
5 will be included from now on. It's also part of
6 the appendix that will be given to the committee
7 and TaxWatch. And then this is, obviously, too
8 hard to read, so I'm just going to give you the
9 summary of what this is, but the 20 projects that
10 had budget flags for the quarter, 17 of them were
11 flagged for the construction award. So, as you
12 guys know, as we've been progressing through the
13 program, as projects are ready for construction,
14 you know, we've hard bid it or, you know,
15 whatever has happened, and we now have,
16 basically, concrete knowledge of what the budget
17 should be based upon that award. When we bring
18 the board item to the board at a regular board
19 meeting we ask for them to approve the award of
20 the construction contract along with any
21 additional funding needed to set that project up
22 with a reasonable budget that includes like a
23 five percent contingency for change orders and,
24 you know, various other things that need to
25 happen, design and management.

1 There were three projects on the list that
2 were flagged for additional funding related to
3 something else. So they either had a change
4 order in construction, I'll give you an example,
5 one of them was Pasadena Lakes that had
6 approximately an \$800,000 change order for metal
7 deck replacement. The project did not have that
8 much money in change order contingency available
9 to pay that change order. So when we brought the
10 change order to the board for award, or for
11 approval, rather, we asked for some additional
12 funding to be able to fund that change order. So
13 there were three projects with that case. But
14 going forward the report will have the budget
15 flag summary in it.

16 MR. HILLBERG: Okay. TaxWatch?

17 MR. NAVE: No, that's fine. I have no
18 comments.

19 MR. HILLBERG: Okay. Comments from the
20 committee?

21 (No response.)

22 MR. HILLBERG: Okay. Let's move on to, then,
23 Assessment of Financial Risk.

24 MS. CARPENTER: Okay. That'll be me, as
25 well.

1 Can you go to the Risk Assessment slide,
2 please?

3 And this is not in response to a TaxWatch
4 recommendation, but just to say that every
5 quarter the risk assessment gets updated. There
6 was a fairly significant increase in this
7 quarter's risk assessment due to --

8 Sorry, it's backwards. Keep going. Yeah,
9 it's before Recommendation 1. There it is.

10 So you can see the jump right at the end
11 there. Due to -- about 10 million of it was for
12 projects that had just been awarded within the
13 quarter that our projections were off, and \$24
14 million on projects that still have not been
15 awarded in construction, where we, basically,
16 re-estimated every project. Projects -- some
17 projects that haven't gone to construction yet,
18 they've been sort of at the 100 percent design
19 phase for quite some time, and, you know, they
20 might have had an estimate done when they first
21 got to 100 percent design and there's been a big
22 gap since they've been estimated, so we
23 re-estimated everything to try to get better
24 projections of the projects going forward. And
25 that led to an increase, a 70 percent risk result

1 of \$692 million of reserve that would be needed
2 to fully fund those projects.

3 MR. HILLBERG: TaxWatch?

4 MR. NAVE: I think the district only has
5 691,000 [sic] in reserve, so there's only enough
6 money currently in reserve to cover the low risk
7 scenario.

8 MR. HILLBERG: And this is also related to
9 the burn rate? Or is that --

10 MR. NAVE: I think that's a different issue.

11 MR. HILLBERG: Yeah. Well, I anticipate that
12 the risk will start to plateau and then drop off
13 as the majority of the budget is used in the
14 construction and then risks become either evident
15 or not. Is that kind of what's going to happen?
16 But how do you address Mr. Nave's concern that we
17 only have the least amount of risk covered?

18 MS. CARPENTER: I'll defer to Omar.

19 MR. HILLBERG: Omar, do you want to defer to
20 Ms. Marte?

21 MRS. MARTE: No, go ahead, Omar.

22 MR. SHIM: Yes, that was actually a couple of
23 questions that were recommendations from
24 TaxWatch.

25 So, if you can go to that response a couple

1 slides down in the financial. Recommendation
2 Number 9 and 10. There you go.

3 So, basically, district staff does work very
4 closely with Atkins to making sure that we look
5 at what the quarterly risk assessment says and
6 that we look at what our reserves are. The
7 current reserves are a million dollars off from
8 what the 70 percent risk is. And the way that we
9 look at the 70 percent risk is that each project
10 has its own contingency in it; okay? There's a
11 five percent contingency in that project. Once
12 it's budgeted and fully budgeted, if there are
13 change orders that go beyond that, that is, you
14 know, pretty much 100 percent of what your risk
15 is. But, typically, you would get when you close
16 out a project some residual balances that come
17 back to the district. So that 70 percent risk is
18 really to say that we wouldn't spend 100 percent
19 of the project budget once the final budget is
20 done and that we would get some back to fund, you
21 know, the rest of the program. So that's what
22 the 70 percent risk versus the 100 percent risk
23 is. So we have what we expect, given the current
24 risk model, approximately what we think we will
25 spend.

1 Now, we'll have to monitor what the risk
2 assessment says going forward to be able to make
3 sure that we always stay pretty much where we're
4 at. But, as you said, we're getting towards the
5 end of the program. So the more you have under
6 contract the lower risk you have.

7 In addition to that, however, I just wanted
8 to add, going to the next one, Recommendation 10,
9 the district does have additional reserves that
10 are not allocated to the SMART Program. The
11 district has \$150 million in unallocated
12 reserves. We also have funding set aside of,
13 approximately \$80 million between 2024 and 2025.
14 And as well as that we have funding that we
15 reserve potentially for charter schools if the
16 state does not continue to fund the charter
17 schools, approximately \$50 million.

18 Now, of course, everything that is approved
19 for the SMART Program has to be approved by the
20 board. So that takes you through that.

21 MR. HILLBERG: Okay. I see from Mrs. Marte
22 that she agrees with what you have said and you
23 have more to add?

24 MRS. MARTE: I absolutely agree with
25 everything that Mr. Shim has said. I do want to

1 say for the record, however, that when we access
2 those unallocated reserves, the potential to do
3 other projects that are much needed outside of
4 the scope of SMART diminishes. So there's
5 obviously a cost to doing that.

6 This team will do everything possible to stay
7 within the confines of the risk assessment and
8 make sure that we're careful not to use that as
9 an easy fallback fund. I really need to say that
10 for the record, there is definitely a cost to
11 going into the unallocated reserves.

12 MR. HILLBERG: Okay. Thank you.

13 MR. CORTES: On the allocated, on the risk,
14 is that based on 70 percent across all of the
15 bond moneys, including prices that are awarded
16 and prices that haven't been awarded or is that
17 allocated per project and then you bill to the
18 number?

19 MS. CARPENTER: Yes, correct. It's
20 calculated per project. So projects that have
21 already been awarded are only carrying the change
22 order risk. Projects that have been completed
23 now have had all of the risks stripped out of
24 them, obviously, you know. So, yeah, and then
25 projects that have not been awarded yet have

1 other risks as well, inflation and --

2 MR. CORTES: So it's an actual real number.
3 It's not a bucket of money of 30 percent you're
4 tracking per project.

5 MS. CARPENTER: Correct.

6 MR. HILLBERG: Okay. We can move on to the
7 next. It looks like, Bob, you have something to
8 add.

9 MR. NAVE: Yeah, I didn't want this to go by.
10 On the discussion of change orders, we did not
11 discuss the number of change orders that were due
12 to consultant errors or omissions, which was
13 about 60 percent of all the change orders. The
14 price tag to the district was \$465,000.

15 MR. HILLBERG: I thought I saw a response
16 from Ms. Langan about how the formula is -- oh,
17 it was in the previous meeting's minutes, we
18 discussed it and talked about how if something is
19 left out, the contractor has to put it in, you
20 don't get the bid price, you get the later price,
21 but I'll let Kathleen continue because she's more
22 eloquent than I am.

23 MS. LANGAN: Yes, thank you. We do have a
24 response and it was based on Recommendation
25 Number 4. I also think that we have an updated

1 table showing where the change orders are. And
2 so, you're right, you know, these projects that
3 we're currently working on are very complicated,
4 deferred maintenance, renovation projects, and so
5 the elements of errors or omissions, especially
6 with the time that has passed, I think that's
7 important that, you know, we consider that as
8 well. What was designed, you know, maybe five
9 years ago under the direction of staff, or
10 whomever, or the previous PMOR, may not be what
11 it is today.

12 So, anyway, if we look at the table in front
13 of you, you can see where we do have our
14 percentages of consultant error, omissions,
15 unforeseen, which, obviously, is the highest
16 based on the work that we do. And then owner
17 request and tax savings from the DOPs is shown as
18 well.

19 And just to add, in working with Atkins we
20 have developed an approach to look at potential
21 charges to architects and engineers for errors
22 and/or omissions. We are, though, also
23 recommending to the school board that we have a
24 policy on errors and omissions such as some of
25 the districts that are close to us have. And

1 whether those -- that policy entertains a
2 baseline for errors and omissions or not, it does
3 give staff a little bit more direction on how to
4 deal with these issues.

5 MR. HILLBERG: Okay. I want to add that you
6 do have -- the program has an overall change
7 order rate of 1 percent, which pretty much any
8 way you look at it is very, very good. I've been
9 part of a large program several years ago where
10 we got a 6 percent and we were patting ourselves
11 on the back. So 1 percent, please, stay with
12 that. It's very encouraging that these issues
13 are being watched and monitored carefully.

14 Yes, Latha?

15 MS. KRISHNAIYER: I just wanted to request,
16 to process the recommendations, can you get it to
17 us ahead of time? It's a lot to go back and
18 forth. And, you know, it's come to us before and
19 it did not come this time. So I would appreciate
20 it very much if we get it ahead of time. And
21 even these, if you can send these to us now so
22 that, you know, we can go back and look at them
23 again. So, it will be very important.

24 I do have to leave, but I do have a question.
25 Since we don't have a quorum, we can't vote. And

1 we've cancelled meetings because of lack of
2 quorum, but we are able to receive reports, which
3 is very important, not only to us, but to the
4 public. So, why don't we have virtual meetings?
5 Okay. Why can't we have virtual meetings to, at
6 least, receive the reports, not only for the
7 committee, but for public access? Because we're
8 looking to be more transparent, and we're looking
9 to inform the community and the parents at those
10 schools where their schools are at. You know,
11 not everyone can listen to this meeting or go
12 back and, you know, check it out.

13 So I'm wondering what is the regulation or
14 policy against holding virtual meetings regularly
15 so that we don't have to cancel meetings.
16 Because between the large gaps it's not conducive
17 to anything, you know.

18 So I'm throwing that question out and I don't
19 know who decides or who has to authorize that,
20 but it would be very valuable, I think, to the
21 community and to us if we could meet regularly
22 instead of skipping meetings.

23 MR. SHIM: It is my understanding that, and I
24 guess I can go back to our legal, but it's my
25 understanding that committees have to meet in

1 person and that you have to have a quorum in
2 person in order to sort of conduct the meeting,
3 you know, business.

4 We did have a confirmed quorum based upon a
5 new member, however, you know, she didn't answer
6 and didn't show, so --

7 MS. KRISHNAIYER: Right. But we could not
8 have voted for her because we don't have a quorum
9 to vote for a new member.

10 MR. SHIM: Well, the resolution for this
11 committee is a little bit different. And for the
12 purposes of adding a new member, the quorum is
13 four, according to the resolution. But -- so it
14 does allow to add a new member to form a quorum.

15 MS. KRISHNAIYER: And the reason I'm asking
16 is, we had a member resign because of her
17 inability to attend in person due to her -- due
18 to COVID reasons or, you know, her
19 immunocompromised reason. And she has indicated
20 several times that if it was virtual she would be
21 able to participate. And that is the other
22 reason I'm bringing it up.

23 MR. SHIM: And, again, I can double-check,
24 but it is my understanding that you have to have
25 a physical quorum, but I'll double-check with our

1 general counsel.

2 MS. KRISHNAIYER: Thank you.

3 MR. HILLBERG: All right. Any other comments
4 on Financial Risk?

5 (No response.)

6 MR. HILLBERG: Okay. Let's move on to
7 Summary of Expenditures, Balance of Funds,
8 Reserve Funds.

9 MR. SHIM: Yes. Again, Omar Shim, Director
10 of Capital Budget. If you'll go to the beginning
11 Budget Activity slide?

12 So the total SMART Program budget increased
13 by 63.4 million over the last quarter from 1
14 billion 442.4 to 1 billion 505.8, which is shown
15 on page 367 of the actual quarterly report.

16 A detailed list showing each project that had
17 budget increases throughout the history of the
18 program is provided between pages 371 to 392.

19 From the total of the 1.5 billion, 1.2
20 billion is either committed to or spent in the
21 program. And the balance funds that are not
22 encumbered or spent is 268 million. So you can
23 kind of see where the program is at and what's
24 left.

25 Next slide?

1 Expenditures through the second quarter or
2 the fourth quarter are 848 million as shown on
3 page 394. This is a 47.1 million increase in
4 expenditures from the previous quarter. The
5 growth in expenditures definitely shows, you
6 know, where we're at in the construction program
7 and most of it or all of it is for construction.
8 Purchase orders in place is 369.8 million.

9 Next slide, please? Thanks.

10 So this really shows where we have increased
11 the reserves and this shows, you know, each time
12 we've increased the reserve. And the latest
13 increase was in May of this year where we
14 increased the reserve by \$133 million, again, to,
15 you know, match what was at the time the expected
16 risk.

17 This brings the total added to the program of
18 691, as we discussed. And, of course, we'll, you
19 know, definitely work with Atkins on the risk
20 assessment to make sure that we get the reserve
21 to that point.

22 The next slide talks about the General
23 Obligation Bond that we did the fourth and final
24 tranche of the General Obligation Bond in May.
25 And this completes the original \$800 million in

1 par value for the GOB. But after that completing
2 that final tranche, the district added \$133
3 million because of cumulative premiums received
4 for that fourth series.

5 And then the remaining, I think we already
6 talked about, the Recommendations 9 and 10. And
7 for Recommendation 11 I think there was in the
8 introduction some language that was a scrivener's
9 error which should have been 173 million and not
10 236 million.

11 MR. NAVE: You think I don't read this stuff?

12 MR. SHIM: So if you have any additional
13 questions?

14 MR. HILLBERG: Thank you. TaxWatch.

15 MR. NAVE: No comments. We're good.

16 MR. HILLBERG: Okay. Committee?

17 (No response.)

18 MR. HILLBERG: Okay. Let's move on then.

19 Okay. Latha has got to go. Thank you. See
20 you next time.

21 Actions Taken by the District and School
22 Board to Award More SMART Program Contracts to
23 Women-Owned and African American-Owned Companies.

24 MR. BALLOU: Yes. Let's move forward three
25 more slides, please. Two more from that. Keep

1 going. One more. One more after that.

2 The TaxWatch recommendation was that we
3 continue our efforts to recruit African-American
4 and women-owned companies in the pre-bid meetings
5 because you have to go to the pre-bid meeting in
6 order to bid. We have 20 current projects in
7 design and four more that are pending. And we
8 have actions that we will take to make sure that
9 we include a robust engagement strategy on those
10 24 projects.

11 One of the things that we would like to call
12 out, most recently we had three awards go to
13 African-American suppliers that were new to us.
14 They were new contractors doing work with the
15 school district. So now our work is to make sure
16 we help them be successful so that they can get
17 more projects. And we just wanted to call them
18 out. ACT Services is doing Nob Hill renovations
19 and Parkside Elementary and All-Site in the last
20 board meeting, in the August board meeting, was
21 selected to do Pompano Beach High school. So
22 there is evidence of pre-bid meeting strategy
23 working. We do continual highlights and
24 call-outs to suppliers. We partner with Garth as
25 well as with our social media. On the far right

1 is every time there's a SMART pre-bid meeting we
2 plaster it all over social media and email the
3 targeted major contractors that are M/WBEs that
4 have the bonding capable, but then also we look
5 at the details of what work's going to be done
6 and we advertise directly to the potential
7 subcontractors and invite them to come to the
8 pre-bid meeting and issue the right hand of
9 fellowship and introduce them to the three or
10 four primes that would be bidding so that we can
11 make sure that we are able to include them in
12 subcontracting work if it's -- all of our
13 projects are anywhere from 3 to \$6 million and
14 many of our suppliers bonding are 2 to \$3
15 million. So they're excluded. But the ones that
16 are able to, we actively participate.

17 And then next slide I think will be the last
18 one I'll talk about. And then in August we, as a
19 school district, highlighted in a resolution
20 commitment to black business month and new board
21 member Foganholi did a video and we also had a
22 board resolution 2395 speaking of it,
23 specifically.

24 Again, this was done in an effort to reach
25 out and say, try us again. Right? If you hear

1 all of the horror stories or bad press that we've
2 had, every one of those instances impacted a
3 local small business more aggressively than it
4 did anyone else. Right? Going back and forth
5 impacted them, you know, not being able to get
6 a -- you know, whatever it was, anything that we
7 did that impacted our suppliers impacted our
8 local small suppliers even more. So this was
9 also an attempt to remind the suppliers that,
10 hey, we're here and you read the proclamation.
11 If you think it's not true, come to me and tell
12 me and tell us what we can do differently.

13 So we're 100 percent in agreement with
14 TaxWatch on this recommendation, that we will
15 continue to do pre-bid meetings as well as
16 incremental activities more than pre-bid meetings
17 as the opportunity comes up to get our local
18 suppliers part of this public money.

19 MR. HILLBERG: Okay. TaxWatch?

20 MR. NAVE: Yes, sir. We have identified
21 attendance at the pre-bid conference as a key and
22 the efforts of Mr. Ballou and his staff to get
23 more African-American owned businesses there are
24 appreciated. So thank you.

25 MR. HILLBERG: Okay. Comments from the

1 committee?

2 CHIEF DEMOPOULOS: Good job.

3 MR. HILLBERG: No comments? Okay.

4 General Update on Communications.

5 MS. GARTH: Good evening. Yvonne Garth,
6 Garth Communications. We are the communications
7 liaison for SMART. I'll start by just mentioning
8 -- next slide, please. A Few months back we met
9 with Ms. Marte about opportunities to enhance
10 distribution and reach an awareness of the SMART
11 Program communications. So we worked with the
12 district communications team to come up with our
13 list of key initiatives that we are trying to
14 implement. I won't go through all of them, but
15 this is essentially serving as a benchmark for us
16 to make sure that -- to make sure that -- a
17 report card, if you will, to make sure that we
18 implement this.

19 So, in the following slides, here, I'll give
20 you an update on just how we're doing on some of
21 those initiatives.

22 The What SMART Means to Me campaign, you've
23 seen this before. Our last theme was on the
24 Music program as it is completed. We featured
25 four schools, Deerfield Beach Elementary School,

1 Driftwood Middle School, Fox Trail Elementary
2 School and Sheridan Park Elementary School. We
3 went into those schools and filmed the kids, the
4 students, and teachers. That campaign was very
5 successful for us. It generated close to 11,500
6 views. So we're very excited about that.

7 One of the other initiatives that we have to
8 help us get increased regional awareness is
9 working with the municipalities. So we have been
10 working with the legislative team and district
11 communications to encourage the 30-plus
12 municipalities to have a button and a presence on
13 their website that links back to the SMART
14 website. And so far 12 cities have worked with
15 us to, have partnered with us to make sure that
16 our link is on their website. And, if you
17 recall, our website has a dedicated page for
18 every municipality. So on those municipal pages
19 we've sorted the schools that are in their
20 cities. So if you are in the City of Hollywood
21 you can go to your SMART space and see what's
22 happening at your schools.

23 We've also worked with, again, with district
24 communications to try to encourage community
25 papers to publish stories. We continue to track

1 well with Tap Into Coral Springs. So far they've
2 written nine articles about nine of the Coral
3 Springs schools. Our City Media just published a
4 story on Falcon Cove Middle School and the new
5 building. That was published last week, as a
6 matter of fact. And The New Pelican we're in
7 communication with them. They are interested in
8 writing stories throughout -- they're primarily
9 based, I think they cover 20 municipalities. No,
10 I'm sorry, that's Our City. The New Pelican
11 primarily is Pompano. They're also interested in
12 covering stories on their schools, so we're
13 continuing to push in that regard.

14 As you may know, a lot of the work that's
15 happening is not easily visible curbside, so we
16 are out in schools. We average about six to
17 eight visits per week photo documenting and video
18 documenting. We keep those in archives.

19 Next slide.

20 But what we really do is we use that content
21 to push out messaging on social media. In the
22 quarter in June we had 341 social media posts on
23 Twitter, Facebook and Instagram. And as we're
24 posting we're tagging the individual schools, the
25 municipalities, and that helps us to expand

1 reach.

2 Back to School, we -- right now, we're making
3 a big push for folks to follow us and visit us on
4 the website because that's really our hub for
5 information related to SMART. The district
6 worked with us to include a flyer in the Back to
7 School packet. It was a digital Back to School
8 packet. We included a flyer directing folks to
9 visit the website to find out what's happening in
10 their school. We actually saw an uptick in
11 visitors to the website as a result of that. Not
12 just an uptick in volume, but we're noticing that
13 a lot of the schools are starting to follow us
14 which helps us get the information out.

15 As part of the Back to School campaign we
16 also did an explainer video that helps people to
17 understand how to use the website and how to
18 navigate it.

19 And we'll close on that.

20 (Video played.)

21 MS. GARTH: And just as a look ahead, we're
22 working on releasing a blog on the summer work
23 that was done and highlighting that. That should
24 be coming out in the next quarter.

25 MR. HILLBERG: Okay. Thank you. TaxWatch?

1 MR. NAVE: I have nothing.

2 MR. HILLBERG: Committee?

3 (No response.)

4 MR. HILLBERG: No? No?

5 I guess that's good. Okay.

6 Going to the Grand Jury Final Report.

7 I would believe this is just for the
8 committee's comment; if any?

9 (No response.)

10 MR. HILLBERG: No comments? I don't see any
11 comments. It's there.

12 So Recommendations for Changes. We can't
13 make any changes. So that's deferred.

14 RSM Program Management Report.

15 MR. JABOUIN: Good evening. I'm Joris
16 Jabouin. I'm the district's chief auditor.

17 My office engages RSM to perform periodic
18 audits of the SMART Bond program manager and
19 owner developer and cost control manager.

20 I started with the district in 2018 and
21 starting in January of 2019 RSM has been
22 performing those audits for me. There is a
23 report in your package and it's based on the
24 strategy that I've created with RSM to audit the
25 various areas based on the requirements for the

1 RFP of those vendors, the district policies and
2 procedure and following up on findings that they
3 have.

4 This report that you have in your package
5 represents work that was done in the fourth
6 quarter of Fiscal Year 2022. It was presented to
7 the audit committee on June 2nd of 2022 and the
8 board on July 19th of 2022.

9 There is a new report that the board has
10 asked me to workshop it tomorrow, so it's an
11 update to this report. And once we go through
12 that process I will liaise with this team to get
13 on the different milestones to make sure that I
14 come in front of this group again.

15 So, as I -- as you look through the report,
16 itself, there are no new findings from RSM in
17 that quarter. There are seven previous findings
18 from previous reports and the district has been a
19 little bit slow in being able to close them out.
20 There's been a lot of effort though on that end,
21 but some of the testing just hasn't worked out.

22 So, for example, on the prior Observation
23 Number 1, which is on page 9, on the Contract
24 Time Modifications, when there are changes to the
25 work orders and the change orders, those are

1 supposed to make their way to the schedules and
2 so that finding remains open and it's been open
3 since February of 2020, simply because the
4 samples have failed in the subsequent quarters.

5 I think that -- I'm encouraged that it will
6 be closed soon, but that particular finding is
7 one of them that has remained open.

8 Of the seven findings in this report, there
9 were four of them that were open, there were two
10 of them that were partially open, so there had
11 been work done on them, and then one of them,
12 which is Observation Number 6 on page 21, has
13 been closed.

14 MR. HILLBERG: We don't have that report.

15 MR. JABOUIN: You don't have that report? Do
16 you have it?

17 MR. NAVE: No.

18 MR. JABOUIN: That's unfortunate.

19 MR. HILLBERG: How would TaxWatch get the
20 report, too? I'm concerned that --

21 MR. NAVE: Let me just make a blanket request
22 that TaxWatch be included on all materials sent
23 from the district to the Bond Oversight
24 Committee. It makes my job a lot easier.

25 MR. HILLBERG: Yes. Sorry to cut in.

1 MR. JABOUIN: Okay. I guess I will connect
2 with the group, because it seems like it would
3 make sense for you to have the report so when I'm
4 referring to pages, this page and that, so you
5 can get to it. So we'll -- since this is a
6 process that we're beginning, this is obviously a
7 report that will make it in. So when you see the
8 next report then I will liaise with the team to
9 make sure that you get it and that way we can
10 flip through the pages and you can get the
11 status.

12 So why don't I just give you -- since you
13 don't have the report, let me just give you a
14 high-level summary. On this particular report we
15 have the prior observations. And of the seven of
16 them that were there, you know, five of them were
17 still at various stages of being open. One of
18 them dates back to February of 2020.

19 And then RSM also did a project analysis on
20 five completed projects and they were able to
21 look at the various reasons for the delays.

22 So, maybe, the key takeaway is to work with
23 everybody and communicate to be able to get some
24 of those prior findings closed. That's probably
25 all I could probably say without the reports

1 here.

2 MR. HILLBERG: All right. We look forward to
3 seeing that, adding to our material.

4 You will email it when the next report is
5 done, is that -- if I can prompt you?

6 MR. JABOUIN: Sure. They're available in the
7 public when they're released. So, for example,
8 tomorrow's report is available. It's just a
9 matter of how we want to have the communication
10 stream to you.

11 MR. HILLBERG: Okay. Is it a website that we
12 can go to?

13 MR. JABOUIN: Yes, so my office, the Office
14 of the Chief Auditor's website has all the
15 reports, including the prior ones. But it sounds
16 like we need to let you know to go look there.
17 You're not going to be prompted to go look there
18 unless -- unless you know the report is ready.

19 MR. HILLBERG: Well, I would say, it is a
20 chore to go back and see, did we get the TaxWatch
21 report; did we get a link to the latest; did we
22 get the last meeting minutes? So it is kind of
23 a -- and it's in my personal email, so it's quite
24 a chore to search through all that stuff.

25 So without a prompt I would then have to rely

1 on, oh, I have to remember to go back, so it
2 would be better to have some sort of prompt.

3 MR. JABOUIN: Okay. I'll work with the
4 finance group to find out the best way to
5 coordinate that.

6 MR. HILLBERG: I didn't mean to speak for the
7 group though. If you have other preferences.

8 MR. CORTES: Is that a PDF report?

9 MR. JABOUIN: Oh, yes, it's a PDF report.
10 It's available.

11 MR. CORTES: Just send it. I don't want to
12 add more links to my life. I have too many
13 links.

14 MR. HILLBERG: Okay. Thank you. All right.
15 Sorry to interrupt your presentation. I was
16 looking for the report and I didn't see it. So I
17 hope that was just me.

18 Okay. We'll move on to Next School Board
19 Workshop. Next workshop is October 4th.

20 Mr. Cortes, you did the last workshop. How
21 did that go?

22 MR. CORTES: I think it went pretty well.
23 There was a lot of discussion about the change
24 orders and also discussion on the 15,000 and
25 25,000. But I think it went well. And they all

1 received it -- no surprise that that thing is
2 getting passed and it was a good meeting overall.

3 MR. HILLBERG: It only took us three or four
4 times.

5 And Mr. -- Chief Demopoulos, you've done it
6 prior to that, so it looks like the only one
7 available is me. So I'll do the 4th. I wish I
8 could volunteer Adam to do it, the Chair. That
9 wouldn't be right.

10 MR. HILLBERG: Yes, Mr. Omar?

11 MR. SHIM: I believe the board has requested
12 that, you know, when you do a presentation that
13 Mr. Nave be available at least remotely, I don't
14 know.

15 MR. HILLBERG: Yes, I remember that. Thanks
16 for reminding me.

17 MR. NAVE: The 4th may pose a problem because
18 of my schedule, but I'll confirm that.

19 MR. HILLBERG: Okay. And we work through
20 Victoria.

21 Okay. Thank you.

22 CHIEF DEMOPOULOS: I'd love to say I did do
23 it, but I was supposed to do it but then they
24 cancelled the meeting so I got off the hook last
25 time. I shouldn't say anything, but I don't want

1 to every time say, I've never been to a meeting,
2 I've never been to a meeting, so I guess I
3 will --

4 MR. HILLBERG: Okay. Good. Thank you.

5 CHIEF DEMOPOULOS: Yeah.

6 MR. HILLBERG: Okay. Thank you. This would
7 be my third.

8 CHIEF DEMOPOULOS: Is there topics --

9 MR. HILLBERG: Oh, we've got to do that at
10 the end.

11 CHIEF DEMOPOULOS: -- if we want to discuss
12 any bullets.

13 MR. HILLBERG: Okay. And I think we can move
14 on to the next item, Future Meeting Dates. I
15 don't book that far in advance so I think it's
16 okay. Any issues?

17 (No response.)

18 MR. HILLBERG: Okay. All right. Now we
19 recess the business meeting. Can I have a motion
20 to recess.

21 MR. SHIM: No motion.

22 MR. HILLBERG: No motion? We don't have a
23 quorum, no point in doing that. Okay. So we do
24 not recess the business meeting or we just say --

25 MR. SHIM: We're recessed.

1 MR. HILLBERG: -- we're recessed. And do we
2 have any members from the public?

3 Yes.

4 MS. FERRARA: Okay. Are we on?

5 MR. HILLBERG: Yes.

6 MS. FERRARA: Okay. Good evening, everyone.

7 MR. HILLBERG: Your name and --

8 MS. FERRARA: Oh, I'm sorry. My name is
9 Linda Ferrara of Cooper City. I want to say to
10 Garth, great job on the website. I know you
11 pushed hard. The problem is the information.
12 When you look up a school it's from March 31st.
13 The problem is the quarterly report was supposed
14 to go up on the website for parents and
15 communities to find out what's going on in their
16 schools. But you can't pick it up six months
17 later. It becomes very frustrating and then why
18 bother looking at the website? So why bother
19 spending the money? So I think we need to
20 reconvene that thought.

21 This committee doesn't approve the report.
22 There's no committee or board members that
23 approve the report. So it should automatically
24 go up once it's completed at the end of the
25 following month or something.

1 Looking at the TaxWatch report there was a
2 mention of SMART Ambassadors. No mention of it
3 here. You know, I've asked some parents at
4 schools, nobody has heard anything about it.
5 Facilities Task Force, advisories, I sit on four
6 advisory committees, we've heard nothing about
7 it. So maybe some information somewhere down the
8 road.

9 And it was a year ago I stood here and said,
10 according to the resolution, the Bond Oversight
11 Committee is to hold quarterly public hearings
12 around the district for the purpose of presenting
13 findings and taking public comments from the
14 public. That is in your resolution for this
15 committee. So in the seven years this committee
16 has been in effect I think you visited one
17 school. I would like to hope that somewhere
18 along the line in the future you go to schools
19 like Parkway, Bethune, Oak Ridge, and you have to
20 see the problems that they encounter on a daily
21 basis. Thank you.

22 MR. HILLBERG: Thank you.

23 Okay. To recap, three items, more current
24 information. And if I guess or interpret or try
25 to poorly, were you asking that the quarterly

1 report be posted to the schools when it's
2 finished? Did I hear right?

3 MS. FERRARA: Yes. Because the June one's
4 not even posted to the website yet. So what good
5 is the March report when you're six months in?

6 MR. HILLBERG: True. Understood. Okay.

7 Ms. Garth?

8 MS. GARTH: Yes. Thank you for those
9 comments. If I may address them?

10 MR. HILLBERG: Yes.

11 MS. GARTH: Just to clarify, so the Bond
12 Oversight Committee Report, we post it as soon as
13 it's -- as soon as it has been published -- well,
14 actually it takes -- there's a week delay because
15 once it's been published we then have to go
16 through the exercise of making every single page
17 ADA compliant before we can post it on the
18 website. So that is actually in the process of
19 being posted right now.

20 I will also clarify that the information is
21 on the individual school pages. If you go to the
22 banner, that information is actually -- we try to
23 update that monthly. So as we're going through
24 school visits we update the progress in the form
25 of any pictures that we've taken and there's a

1 blurb at the top, I'm sorry, verbiage at the top
2 of the banner that explains what's happening at
3 that particular school. So we try to update it
4 monthly and then as soon as the quarterly report
5 is completed we also post that. So a monthly
6 update was an attempt to mitigate the gap in
7 time. As far as the Ambassador Program is
8 concerned, I didn't mention it today just because
9 it was a long list of items that we are working
10 on, but the Ambassador Program is something that
11 we're in the process of working with the district
12 to implement in the next few weeks. We are
13 working with each school to identify one person,
14 one point of contact that we can go to to help us
15 disseminate information. So it's just a little
16 bit of a process. We tried to let the schools
17 get back open and we're now in the process of
18 working with the principals to identify that
19 ambassador.

20 MR. HILLBERG: Okay. So that's not a
21 TaxWatch issues, that's a communications issue.

22 MS. GARTH: Yes.

23 MR. HILLBERG: Or initiative, I should say.

24 MS. GARTH: Yes.

25 MR. HILLBERG: Okay. And then the last item

1 was the committee should visit schools. We've
2 been talking about that and we certainly -- I
3 think on this side of the table we would like to
4 do that. I love a field trip, so I would like to
5 do that. I don't know how -- we haven't gotten
6 to the how. There is some difficulty, I imagine,
7 with taking this and putting it somewhere else or
8 maybe even doing it in a different trip. But we
9 need to work that out. I think it would help all
10 of us to see more and understand more about the
11 process. I'm certainly in favor of it, for the
12 record.

13 Okay. Thank you, Ms. Ferrara.

14 Next we have Dr. Walsh.

15 DR. LYNCH-WALSH: Yes. Thank you. Dr.
16 Nathalie Lynch-Walsh, I'm the Chair of the
17 Facilities Task Force. Linda is the recording
18 secretary of the Facilities Task Force.

19 And since we don't have a communication plan
20 for our two groups to communicate, when the Bond
21 Oversight Committee was set up, it was
22 specifically set up so that no one who serves on
23 another advisory was eligible to serve and in
24 particular the Facilities Task Force, so we
25 resort to this.

1 I come with handouts, as usual. On page 31
2 there is a comment about Dr. Cartwright and her
3 leadership team take appropriate actions to
4 ensure that the remaining primary renovation
5 projects especially those that include activities
6 designed to improve school safety and security
7 are implemented on time, on budget and in scope.

8 The handout addresses in part why those are
9 sort of subjective. It shouldn't be, but it is.
10 So what I'm bringing you is Blanche Ely, because
11 I got asked a question, and there are things that
12 are in scope but we don't know what the budget is
13 for these particular buildings anymore because
14 it's several years later and nothing has happened
15 on these buildings.

16 So give me one second, I'm going to run these
17 up to you.

18 And then some other comments that people were
19 talking. Because the primary difference for the
20 two of you that are new to the BOC is that you
21 get all the staff here telling you things, we
22 actually know what's actually going on behind the
23 scenes, but we can't speak.

24 So Single Point of Entry, I think someone
25 clarified that there were things mentioned at the

1 beginning of this meeting that are not in the
2 scope of the SMART Program, however, there are
3 things within the scope of the SMART Program that
4 relate to safety, where if the building is only
5 renovated up to a point, then they don't have to
6 bring it up to code. So there are older
7 buildings that don't get things that you've
8 mentioned they thought they were getting,
9 especially older schools, Tamarac, North
10 Lauderdale, because they didn't renovate the
11 building to the point where they need to bring it
12 up to code.

13 You mentioned inspector directing more work.

14 Okay. Stranahan High School cafeteria, since
15 I think we had some going back and forth, is no
16 longer in the GOB. And you'll be getting an
17 email about that when I finish a report.
18 However, the walkways versus the building
19 overhang being part of a building, it was too
20 expensive and in staying in budget there are
21 walkways that are ancient at Stranahan that may
22 or may not be in the scope because part of the
23 walkway is part of the building, so it could or
24 couldn't have been in the scope, but it would
25 have cost more money. So where does the scope

1 end? And you increased the budget for that.

2 Northeast versus Cypress Bay, we have asked
3 repeatedly, and, generally speaking, when we
4 don't get a response from staff I can only guess
5 that they're not being allowed to provide it,
6 because even if they're busy, at some point they
7 would have to provide it. We have asked for
8 confirmation that the change orders that Cypress
9 Bay got for the new building, same architect for
10 Northeast, are they getting the same things that
11 were supposedly required by the design standards
12 or code? Don't know, because we haven't gotten
13 that yet.

14 MR. HILLBERG: You're past the three-minute
15 mark, if you could summarize or begin to --

16 DR. LYNCH-WALSH: Okay. All right.

17 MR. HILLBERG: Sorry to rush you along.

18 DR. LYNCH-WALSH: Sorry. I didn't see it
19 being tracked. And, again, I'm trying to provide
20 clarification.

21 So on the reserves, the projects not yet
22 awarded are in the DEFP of 2014 estimates. The
23 SMART reserve is based on 70 percent, as
24 everyone's said here. So any Atkins project
25 estimate, which they have estimates and keep

1 doing them and updating, in excess of the 70
2 percent would then not be accounted for in the
3 SMART reserves and it's not segregated in
4 unallocated reserves, so we end up back to
5 TaxWatch's concerns.

6 Just so you know, no projects have ever been
7 audited, and we're still down, no facilities
8 manager in the audit department and it's been two
9 or three years.

10 As far as Blanche Ely goes, what I handed you
11 is something familiar, that's from the BOC.
12 Notice that it mentions Buildings -- reroofing
13 Building 11 -- 10, 11 and 21. Building 10 and 11
14 are from the '50s.

15 Okay. The other pages -- so the first page,
16 these plain black-and-whites are from the Needs
17 Assessment. Building 10, Roofing, part of the
18 GOB. Building 11, Roofing, part of the GOB. So
19 are HVACs. This -- the colorful pages are the
20 Architect's Scope Validation Report. Notice what
21 it says for 10, 11 --

22 MR. HILLBERG: You're at five minutes. I'm
23 going to give you 30 seconds, please.

24 DR. LYNCH-WALSH: Okay. And 21. I'm just
25 directing you to the pages. So, basically,

1 they've reroofed them and we don't know if they
2 used the budget for the HVAC or not. So the
3 question is, what happens next? It's in the
4 scope, but it hasn't been done because there's
5 been no definitive direction. And Kimberly can
6 share what they've been telling the Blanche Ely
7 community.

8 MR. HILLBERG: Okay. Thank you. Sorry to
9 rush you.

10 There were a lot of questions in that. I
11 don't know how to respond to even begin. I'm
12 going to look to the meeting minutes to see if I
13 can identify the individual questions.

14 Now, do you have something you could send us
15 to ask? Because I missed a lot. I am not a very
16 good note taker.

17 DR. LYNCH-WALSH: Yeah, sorry. I can
18 certainly -- we'll be discussing this at the
19 Facilities Task Force because this just came up.
20 I got asked question and did a little quick
21 research.

22 It's not so much questions as I want you guys
23 to understand when I'm reading the TaxWatch
24 report that says we must make haste and be on
25 time, on budget and in scope, that we don't,

1 actually, know what any of those three things
2 mean in some cases.

3 So the question to ask is, Buildings 10, 11
4 and 21, was is the plan? Because they've been
5 reroofed.

6 Oh, by the way, I forgot the most important
7 part, there's no power going to those buildings.
8 So if you're going to reroof them, did they stick
9 HVACs in them? I'm thinking, no, because -- and
10 if they did there's no power going to those three
11 buildings and I believe Kim, Ms. Burke-Mohorne
12 can shed some light on why. And it isn't because
13 AECOM doesn't want to do it. It's because they
14 haven't been given direction to allow them to do
15 it.

16 MR. HILLBERG: Okay. Thank you.

17 All right. Our next member of the public,
18 please identify yourself.

19 MS. BURKE-MOHORNE: Yes, Kimberly
20 Burke-Mohorne, Margate, Florida. Just to --

21 MR. HILLBERG: I missed that. I'm sorry.

22 MS. BURKE-MOHORNE: Kimberly Burke-Mohorne,
23 Margate, Florida.

24 MR. HILLBERG: One more time?

25 MS. BURKE-MOHORNE: Kimberly Burke-Mohorne.

1 MR. HILLBERG: Okay. Thank you. Sorry.

2 MS. BURKE-MOHORNE: No worries.

3 MR. HILLBERG: From Margate?

4 MS. BURKE-MOHORNE: Yes, I live in Margate.

5 MR. HILLBERG: All right. Please proceed.

6 MS. BURKE-MOHORNE: Talking about Blanche Ely
7 High School, in 2015 we had some buildings
8 removed; okay? Three of the buildings were
9 without power that stayed there, were without
10 power and we're talking about 10 and 11 and 21.
11 21 is a clinic, a clinic that our schools do
12 not -- our school does not have a clinic. We are
13 out of compliance with the State of Florida. Our
14 clinic is in a classroom and it's not privatized
15 for our male or female. We found out that this
16 clinic does not have the electricity to it
17 because it was all taken out when those other
18 buildings were demolished. We were told that if
19 they put the switch gear in then they would put
20 -- energize the three buildings. Okay? So the
21 switch gear was put in this summer, but we have
22 not heard anything about reenergizing the
23 buildings. We understand they are on this
24 report, on the bond report. They were supposed
25 to be reenergized and also they were reroofed,

1 but other than that we haven't heard anything
2 else.

3 Now, on the report here it says that the
4 staff told whoever came out on the February 22nd,
5 whoever came out on February 22nd, the staff told
6 them they did not have access to the building,
7 and that was a lie. Okay? We went into the
8 building -- we didn't go into building, let me
9 take that back. We made sure that, we found out
10 who had the key and they have access to the
11 building. Okay? Our representative, Nora
12 Rupert, went out with us, we went to review the
13 buildings and everything. And so we know that
14 they have keys. We need someone to be able to go
15 in. We need to reenergize -- first we need to
16 reenergize the building. We have Broward Health
17 that wants to partner with Broward County School
18 Board to open up the clinic for our students.
19 But we cannot do anything without the power.
20 First, the power.

21 So, we would like to know what they're going
22 to do about -- and we were told -- and one
23 particular, probably at the next meeting, but one
24 particular school member, a community member, was
25 told by an employee of Broward County Schools

1 that it would be over his dead body that those
2 buildings will be opened again. Okay?

3 MR. HILLBERG: Okay.

4 MS. BURKE-MOHORNE: All right. Thank you.

5 MR. HILLBERG: So, to summarize, when is the
6 power going to be restored or is that the plan
7 for those three buildings? And when -- I think
8 the bigger picture is when will the clinic be
9 available? And can anyone answer those
10 questions?

11 And I'm getting a, no. So we'll have to come
12 back to that.

13 MR. BAYS: Well, I can -- excuse me.

14 Sam Bays. I'll take a shot at the --

15 MR. HILLBERG: Okay.

16 MR. BAYS: I'm not going to give you a
17 definitive answer on when we're going to be able
18 to do that. We have to budget for doing a lot of
19 work to those buildings because they were in poor
20 repair. The longer story shortened is, we did
21 take buildings down in 2015. They were a hazard.
22 They were collapsing. We had a young man who had
23 been a graduate of Blanche Ely living in one of
24 the buildings as a homeless person. It was a
25 very sad situation. So we were able to get them

1 demolished using in-house forces as an emergency
2 project. It did cause the three buildings in the
3 south part of the campus that were not to be
4 demolished, because we thought they might be
5 historic, to be saved. The one clinic building
6 at that moment was vacant. We would like to have
7 the opportunity to look at the two buildings that
8 are very old and in very poor condition.

9 Kathleen, I know, has worked with the local
10 community to talk about, is it feasible to not
11 salvage those two older buildings and just
12 salvage the clinic? But, regardless, it will be
13 a major undertaking to put those buildings back
14 in use. The roof was just to preserve the asset,
15 but the bigger question is, they would have to be
16 gutted, they would have to be rebuilt, they would
17 have to have new systems. So it's quite an
18 extensive project.

19 MR. HILLBERG: Okay. I'm gonna guess that
20 this wasn't part of the SMART Program, those
21 three buildings. So this is extra, outside?

22 DR. LYNCH-WALSH: That's not true. That's
23 not true. That's why I handed you -- your own
24 report has the buildings listed as being
25 reroofed. The Needs Assessment lists mechanical

1 and roofing as being GOB.

2 MR. BAYS: I'm sorry, Dr. Lynch-Walsh. What
3 I meant was that the restoration work to do on
4 those buildings is not part of SMART. It is a
5 comprehensive restoration that has to be done.

6 MR. HILLBERG: Okay. I understand. Because
7 if you don't put a roof on it it's going to
8 continue to deteriorate faster than you can keep
9 up with it.

10 MR. BAYS: You would lose the building if you
11 don't put a roof on it.

12 MR. HILLBERG: Okay. Odd situation, but I
13 suppose that's the best we can expect in that
14 circumstance.

15 So at what point will a schedule be
16 available? Or is this still too early, you're
17 sorting things out, or what can we -- I want to
18 answer the question. That's all.

19 MR. BAYS: It is not part of the Bond
20 Oversight Committee. It's not part of the SMART,
21 sir.

22 MR. HILLBERG: Okay. Well, I'm sorry, I
23 can't answer that -- we can't get an answer to
24 you. I wish we could. It will be under further
25 development, I guess.

1 Okay. That reminded me that we have
2 continually asked for answers to be provided to
3 the public when they've made presentations like
4 this and I have not seen one yet. This is only
5 the second or third time that I've seen public
6 presentations and questions, but it's on our
7 agenda a lot of times. We talk about it just
8 about every meeting. I know it was in the last
9 meeting minutes that we want those things
10 addressed. It's better to give bad news, in my
11 opinion, than to not give any news at all. So I
12 would like to at least resolve it. And I put
13 pressure on the school board staff to respond to
14 the questions of those citizens.

15 Okay. We can adjourn the public hearing,
16 reconvene the business meeting.

17 Is there anything else we need to discuss?

18 (No response.)

19 MR. HILLBERG: No? Anyone? No? Okay.

20 And we'll adjourn. We don't need to make any
21 motions, so the meeting is adjourned.

22 Thank you.

23 (Meeting was concluded at 7:32 p.m.)
24
25

REPORTER'S CERTIFICATE

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.

I FURTHER CERTIFY that I am neither an attorney, nor counsel for the parties to this cause, nor a relative or employee of any attorney or party connected with this litigation, nor am I financially interested in the outcome of this action.

Dated this 26th day of September, 2022, Fort Lauderdale, Broward County, Florida.



TIMOTHY R. BASS
Court Reporter

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