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SCHOOL BOARD OF BROWARD COUNTY
BOND OVERSIGHT COMMITTEE MEETING
    December 19, 2022
    5:56 p.m.
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United Reporting, Inc

Victoria Miller
Ana C. Otiniano

Jose R. Cortes
Steve Hillberg
Adam Rabinowitz

Latha Krishnaiyer
Tommy Demopoulous
Judith Marte

Erum Motiwala

Jeff Whitney

Omar Shim

Robert Nave

Ashley Carpenter
Sam Bays
Kathleen Langan

Yvonne Garth

Perla Tarrau-Ayala
Robert Ballou

Matthew Bradford
Joris Jabouin
Eric Seiffer

David Sabra

APPEARANCES:

Facilitator

Committee Member

Committee Member

Committee Member

Committee Member

Committee Member

Committee Member
Deputy Superintendent
Chief Financial Officer

Assistant Dir./Capital
Budget Department

Capital Budget Director

TaxWatch VP of Research

Atkins

Executive Director

National Construction Management Association/VP

AECOM

Sr. Plans Examiner
Officer, Economic Development \& Diversity Compliance

Executive Director

Chief Auditor

Facilities Auditor

Internal Funds Auditor
(Thereupon the following meeting was held.)
(The Pledge of Allegiance was said.)

MR. RABINOWITZ: Thank you to the Blanche Ely Junior ROTC Color Guard for that start. We should start every meeting like that. Now we call the meeting to order.

AGENDA B

The first order of business is the approval of a new member, and $I$ will pronounce her name incorrectly, so forgive me. Ana Otiniano.

MS. OTINIANO: Otiniano.

MR. RABINOWITZ: Otiniano. Thank you. So do we have to have a vote on it?

UNKNOWN SPEAKER: Yes.

MR. RABINOWITZ: So we obviously have to have a vote on it. Do I hear a motion to approve the new member?

UNKNOWN SPEAKER: So moved.

UNKNOWN SPEAKER: Second.

MR. RABINOWITZ: All those in favor, say aye. GROUP: Aye.

MR. RABINOWITZ: Wonderful. Welcome aboard.

MS. OTINIANO: Thank you.
MR. RABINOWITZ: You're welcome. The second order of business is an approval of the minutes
from the Q4 Meeting. Do $I$ hear a motion to approve the minutes?

UNKNOWN SPEAKER: So moved.

UNKNOWN SPEAKER: Second.

MR. RABINOWITZ: Wonderful. All those in favor say aye.

GROUP: Aye.

MR. RABINOWITZ: Great. Now a fun thing, a discussion of the grand jury report.

AGENDA C

MR. HILLBERG: Yes, that's my issue, my item, and I have a list. Okay. In the meeting, or minutes from the last meeting, I was -- at that review of -- it looked like there was an effort in place to address, if not improve, the process of the building inspector and the roofing inspector and in multiple returns, and in last minute changes to the final inspection, something is noticed.

So I was glad to read that and get the second exposure to it. I'm glad that the school board is taking the steps to identify places where the scope gets added to, and try to eliminate those.

And then further, in some of the reports provided by Atkins and AECOM, that some of the delays, the notes were -- we have reached out to
higher management or district management with help for
these issues.

So I'm in a lot better place of review of that, those items. I'm not as concerned as I was when $I$ first read those items that those things were occurring.

So one thing that did remain $I$ think we need to address is that in the grand jury report, it said that the school board does not have in place a roof maintenance plan, which is required to maintain the warranties on all the roofs. I would like to know if the school board is planning to have a roof maintenance plan.

UNKNOWN SPEAKER: No. It hasn't been ordered yet so --

MR. HILLBERG: Or does it need to be -- is it fine to be an informal program that already exists, that doesn't necessarily need to have some steps? But is there -- just is there something in the works to protect those warranties? And I'll recognize Ms. Marte.

MS. MARTE: Thank you, sir. The roof asset management solicitation is under the cone of silence, so we can't discuss it here tonight. But short answer to your question is, there is a plan
in place to move forward that we will come back and
discuss with you in greater depth as soon as we're
allowed to.
May I speak to your first comment, sir?
MR. HILLBERG: Yes.
MS. MARTE: So appreciate the acknowledgement
of some of the changes that the district has made
in monitoring this my program. I am Judith Marte.
I'm the Deputy Superintendent of Operations.
At this point, we still have a vacancy for a
chief facilities officer, although we are actively
interviewing and very hopeful that we have found
somebody, that we will bring to the board in
January. If not January, then February, but I
would love it to be January, because right now I am
both the Deputy Superintendent of Operations and
the Chief Facilities Officer.
We have made some significant changes since
the report came out. And those changes
specifically address what you just spoke of. We
meet every Friday. It's a four-hour agenda. Every
single program manager from AECOM, Kathleen,
Ashley, Mr. Bays, myself, the Chief Building
Official, the Chief Fire Official and the Capital
Programs Team from Broward County Public Schools.

The Fire Official has made a change in his processes. If there are more than two times an inspector goes out for the same item, the third time it's a stand-up meeting. I have evidence that it was sometimes five times an inspector would go out and some of the comments weren't germane to the building code. And once they're on the sheet, they've got to be addressed, and it just slowed things down.

Similar with the building code. The
instructions that I've given everybody is we are going to follow the building code. And I don't want anyone to get the message that we're trying to cut corners. But we also can't slow things down because we're not following a process. Those processes have been in place.

Ms. Langan and $I$ are lockstep and joined at the hip, on the phone all day. I'm working through eBuilder, I'm reviewing all of the change orders. The Board has changed Board policy. Superintendent has the authority to change, to approve change orders, up to $\$ 50,000$. That didn't exist before. The grand jury report came out, it was zero. That change is now in place. And Kathleen will tell you how much quicker we can move things along.

So I appreciate your encouragement. I am committed to finish my career strong. I want to leave knowing I did the best I could. Kathleen is, too. I don't know if it'll finish her career, but we've been around a few minutes. But we have committed to each other to get this done and to give our students and our teachers and our staff and our taxpayers what they deserved from the beginning.

You have the same commitment from Dr. Cartwright. Under her leadership, she has been very gracious to allow me the space and the time I need to spend in this program.

So appreciate very much and I look forward to better reports every quarter as we move forward, sir. Thank you.

MR. HILLBERG: One last thing was the grand jury report spent a lot of time on the process of -- not a process, it's -- I don't know how to describe it. It's where the details of the roof are not provided to the contractor.

And the comment was made from the roofing inspector, it's like giving the answers to the quiz, if you let me. That was kind of a thing that stuck out.

But I would, in my history of 30 years of project design, construction management in all three counties, I've never heard of anything like that. We always provide the details. That's how we want it to be done.

And so, to help you, is there -- is that something that we should bring to the Board's attention, that maybe they need to have a policy that all plans have the details, so that the contractors know what to do?

MS. MARTE: So if I may?

MR. HILLBERG: Yes.

MS. MARTE: The individual who said that has retired. I'm going to let Ms. Langan help me, but I think all the plans have all the details. I don't think we're going into anything blind. That was never really what was happening.

Kathleen?

MS. LANGAN: Yes, thank you, Ms. Marte. The details actually have our standard details that the District has, and actually SOPREMA who has done most of the supplying of materials here in the District for the roofing. Also worked with the District in their design standards to have those details. I am not aware of anything like that,
where the details aren't provided.

Now, when they go through the roof by their process, the contractors are required then to show the details that they're going to be using. But these are standard details, you know, so I'm not sure, you know, unless she was changing things, which that certainly did happen during her tenure. But outside of that, no.

MR. HILLBERG: Okay. That's reassuring.

MS. MARTE: And if $I$ may, there is new
leadership in the building department, who is very anxious to work with us, to get the program done. We also have expanded the use of outside consulting resources led by her, to make sure that we can get at the inspections much quicker than we were.

MR. HILLBERG: Okay. Thank you.
MS. KRISHNAIYER: Ms. Marte, I have a
question. Nothing to do with the grand jury
report. But at the last meeting, the Board
approved I think around $\$ 2.9$ million for assistant for schools including Peters Elementary, that aided the students, the deaf students and the teachers.

I was just curious. Is this available at all schools, or do we need to -- because it was pretty disturbing when $I$ heard -- we heard the stories
about they're not, you know, knowing when a fire drill was called, or whatever.

So does every school now have it, or the schools that have the students and teachers that have this disability?

MS. MARTE: So the four schools that have classrooms where there are hard of hearing students and teachers, will have the system. That's what the Board approved. It wasn't just for Peters, it was for all four.

But up until that approval, they were relying on somebody coming to get them. Yes, that is correct, and the Board was very disturbed by that. And we took immediate action under the leadership of our task assigned chief fire official, who works for Chief Alberte (phonetic), with the assistance of Dr. Philips, who works with me, to expedite that procurement and get that done.

MS. KRISHNAIYER: So those are the only four schools with hard of hearing students?

MS. MARTE: Yes, ma'am.
MS. KRISHNAIYER: Okay.

MS. MARTE: Hard of hearing students and staff.

MS. KRISHNAIYER: Thank you.

MR. HILLBERG: Is that the conclusion of the report?

MR. RABINOWITZ: Of the grand jury, yes.
I have no further comment.

MR. HILLBERG: Anyone else have any comments about the grand jury report or anything else? No?

Hearing none, we'll move up to the
presentations by the District staff, starting with Facilities.

AGENDA E

MS. MARTE: I'm going to turn it over to Ms. Langan.

MS. LANGAN: Thank you, Ms. Marte. Kathleen Langan, Road Director for the SMART Program, as well as OCP for their Capital Projects.

So we thought we'd start out today and talk a little bit about some of the achievements that the SMART program had during this quarter, focused on summer work.

So we, along within all of our buildings, we also were in another 81 buildings where we performed work on schools let out for the summer, that had to be completed for occupancy approval by the time the students and the staff came back.

So during the summer, seven weeks, we
completed 203 HVAC improvements, 300 electrical improvements, which some of those were actually here, one here at Blanche Ely was replacement of the switch gear. Thirty-three roofs were completed, seven media centers.

All the projects that we started for the summer were completed and ready to go for the first day of school.

We continued to project and schedule to be substantially complete by October 2025. Just renoting that there is almost 200 projects under construction right now, the highest number, then, in the history of the SMART program, but in Broward. And I think if you look around to some of the other districts, much higher than some of the other districts are running in their capital programs.

We actually have 46 projects that we have had a schedule. And 95 percent of the projects that are left in our design phase are now at 100 percent complete. We only have about 18 projects or so left in design.

Turning to security status, again, focusing on the single point of entries, which have been complete and fully operational as of July 2019.

And then, of course, our safety status of fire alarms and fire sprinklers. And we're going to turn the page and get to the 22 schools that were noted in the TaxWatch report as, you know, that we are working on to complete and keep ahead, or on schedule.

So this is just a list of those 22 schools. And you'll note that on some of them, we have an asterisk where delays were encountered, and time impact analyses are being completed. Some of them have been completed and approved. Some of them are being analyzed by AECOM's claims group.

I don't know if you have any specific questions on those, any of those projects.

I'll just touch on Deerfield Beach as an example because that one we are working with the contractor on. Deerfield Beach Elementary was a school that we have a historic building, Building 1, on that property, and it was empty, I guess, for ten years, I'm told. And there was a real problem with critters and fleas and all kinds of things, which took some time to get removed.

We did that only to find that there is severe deterioration of the building. So we actually have descoped it, the architects have been working
on descoping it from the contractor's scope of work. And we are processing a change to the architect for them to do a facility condition assessment, so that the school board and the city can decide what they want to do with that building. So that one is kind of a unique delayed project. So moving to the schedule variances. Again, just reminding folks that we have scheduled a program to be substantially complete October of 2025. We mentioned the 46 projects are currently ahead of schedule. And 32 of the 41 delayed projects have completed their contract work.

And as Ms. Marte described, we are working with the Building Department and the fire marshal to clear some of these issues that we've had out in the field with inspectors adding scope.

And so maybe it would be great to turn the page, because $I$ think the next page is the responses for the comment or the recommendation that we give a brief over -- a brief review to you all for reasons for these additional work with the 32 primary.

What we tried to do was just categorize these, the three primary. There's -- we have attached an appendix that gives the specific details of each of
these projects. But we looked at them and put them into the core reasons.

One was code interpretations. And as folks in our business understand that there can be a code, but there can be two, three interpretations of that code. And so sometimes that creates a conflict or a change order for the contractor.

And then we have, of course, deferred maintenance issues. That's something that has been very challenging, that Ms. Marte is working with us to help. And this is where the inspectors come out and you may have some equipment that is not functioning, that was not included in SMART, that the inspectors want included in SMART. And so there's a lot of that, and again, we're working to close those items out.

And then it's the design standard interpretation. And when you think about the design standards, and how those were developed for new construction, in some of our projects, you know, we are in a mostly occupied facilities, with students. It's renovation. It's very complex. It's very detailed work.

And so, sometimes the inspectors who are working to enforce the design standards may not
quite understand that and those things we're working through as well, with the code, the chief code official, Ms. Marte and then of course our chief fire marshal.

So one of the other things that we've worked on over the last quarter that TaxWatch noted and we appreciate that, was the -- our team's development and resolutions to a lot of the risk levels that were on some of the projects. And we're working very hard on this to make sure that these risk levels are applied across the board at our projects.

So when we have, you know, a high risk, if we have developed a plan with the contractor, they're implementing the plan, we're tracking the plan. That would be moved down to a medium risk level, and so on.

So we have attached an appendix for every project in the program, and the risk level, and why it changed. And that's in your appendix for your information.

Okay. Next are the change orders approved this quarter. And you can see by the chart that we've provided, these change orders, we have a total of 43 change orders that were done, that were

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approved this quarter. And there is varied reasons
that we've noted here, and then the value of just
over a little bit of a million dollars.
    Again, we've provided a detailed breakdown in
the appendix for your review and information.
    The next item is the recommendation to, number
one, talk about the reasons for so many change
orders being due to consultant errors or omissions.
And then the status of efforts to recover funds
paid to consultants.
    So we want to make sure that the Board
understands that the District isn't -- the
taxpayers aren't just paying out money, that the
District is getting value and betterment for the
improvements of the changes that are associated
with errors or omissions.
    And it depends on different levels that you
may have with omissions or errors. For example, if
you have an error and the contractor has already
installed the design element, and it's an error,
then he has to take that out and, you know, install
the corrected one. So there's different levels of
errors. So we wanted to just note that and
describe just the values of the total change
orders.
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But probably more importantly, and $I$ would just ask to go to the next slide. Is the reality of what happens with these change orders, and what is the industry standard. And I believe this was spoken to from your board to the school board not too long ago. I don't remember exactly when that was.

But basically, it is the concept of, you know, human error happens in design. And typically, the industry, AIA, and industry organizations will say, well, there is anywhere from five to eight percent. In renovations, you can have as many as -- as much as ten to 15 percent, depending on the work. But what we always say is seven to eight percent.

The SMART program cumulative value is 0.5 percent. So when you look at that, it certainly is a big difference. Moreover, what we recommend, we have done a lot of research on this, so we are recommending that the Board pass a policy on errors and omissions to provide the staff with direction. I think we have it for you in the detail of our narrative.

But basically, what we're saying is when the Board has a policy which other districts in Florida have, that policy can establish a standard of care
that the District expects from their consultants, and
establish a threshold, a baseline.

So in in Dade County, I believe it's a two percent threshold that they look at. And it doesn't mean you have to allow two percent of errors and omissions. It means you can allow up to two percent.

That you clarify -- that the Board would clarify in this policy that the Board may seek recovery whether the amount is over or under the threshold at its discretion. That policy would provide guidance to staff as its -- as to its responsibilities for errors and omissions that occurred both above and below the threshold.

And then finally, clarify reporting of errors and omissions analysis to the Bond Oversight Committee and the school board.

So we think that that's very important and we appreciate the support. I know Ms. Marte does. She's used to seeing that and we appreciate the Bond Oversight Committee supporting the recommendation for a policy.

Okay. So Blanche Ely is the first one, and of course you're sitting in their new media center, and it's quite nice, actually. And you know, the
entire scope of work, obviously, was $I$ think we were at about $\$ 22$ million for the $D O B$ portion of the work.

We did note that in this update, that there was a delay that we noted for the contractor. And this delay is associated with closing out open inspection reports. The way that the District works is if a contractor has to call more than two inspections, then they have to pay the District $\$ 200$, I think it is, per inspection.

So what we're finding is some contractors open up another inspection ticket. And so we're working with the contractor to close those out. So that's why we -- and we're actually there. We've met with the Building Department and I think we're there.

And then we had probably three or four items that the inspectors had called out to be complete, that $P P O$ is now completing.

I think we just inserted that one and that we didn't give the rest of the updates. No, I've got it, okay, I'm sorry. If you'll move to the next one, which is Northeast.

So Northeast High School, the DOB, we have given a great deal of detail to the superintendent on this one. We have experienced some delays with
regard to structural issues on the roofs, as well as some of the underground utility lines. And so, we are tracking those with the contractor. But you can see here, this is the report that is in your spotlight as well.

The good news is, also, is that the new classroom addition, we are on schedule and actually a little ahead of schedule. And I don't know if some of you have driven by, but you can see the walls have been stood up and we're making progress there.

Stranahan, we are overall complete. We have some change orders under review. We also have -we're looking -- we have some complaints with this contractor and so we're looking at alternative ways to get the work done, since they are change orders, they're not in this contract.

We also have structural issues at building 17 and 18, and that we are -- we actually
decommissioned buildings 18, which was a storage for a skid steer. And then building 17 was -- is used for storage. It used to carry classroom space, but it's deteriorated to the point where we are performing a Castaldi on that one. So we're
doing some extra work there to see how we have to finish some of those elements up.

Okay. So then moving on to actions taken by the District. I think one of the things, and you may have seen this before, this is the actual policy that the Board approved for, you know, for the superintendent signing change orders, which we expect, to the reduction of paperwork on that.

Just to give you all an update, technologywise, you know, AECOM came in and was working with Atkins to improve the eBuilder PMIS system. And really start to be able to track the financial records of the program.

In fact, at the last workshop for the Audit Committee, it was noted by our auditor, RSM auditor, that how much improvement that that's created for the program. So we're very pleased about that. But this we expect that to help the time process, absolutely.

And then moving to the next one, this is a response that we've given to the Board before to reduce the number of back and forths. We don't have, as $I$ mentioned before, we don't have a lot more design projects. But $I$ think it should be noted that there's, you know, that this should
continue on as the District moves forward with a capital improvement program.

And so, things like you know more focus on the design reviews, when there is a point where there's only a minimum amount of comments left. As Ms. Marte indicated before, we then meet with the architects and engineers and the Building Department to clear those so that we're not going back and forth.

Right now, the standard that has been set is two reviews. And after two reviews, a stand-up review is held to clear and be able to get the letter of recommendation for the permit.

I'm going to let Ashley talk a little bit about the budget related.

MR. RABINOWITZ: If you could just hold for a second.

MS. CARPENTER: Sure.

MR. RABINOWITZ: There's one question from the committee.

MR. HILLBERG: With the building permit
reviews, is there been a evaluation of the comments that ideally the Building Department should catch a number of things. And then the consultants should work on those items, list of ten, they should
address those. And the Building Department should look to see that those were addressed and not find new things.

It's human nature to look again and go, oh, I missed, you need some more stuff. But is there a process to control, instead of just being infinite. Oh, now, I forgot, that reminds me, I have this.

But I see a hand raised behind you, so.

MR. JABOUIN: I'm Joris Jabouin. I wanted to ask, after you, a question.

MS. LANGAN: So I think there have -- we have experienced that challenge tremendously. And I think one of the things that we're talking about is that we have -- that the Building Department has, as Ms. Marte indicated, support, consultant supporting the Building Department. So they're coming in and they're doing design reviews.

And we think one of the elements or strategies that would help reduce the number of additional comments, if you will, is to have the same team, almost work in teams, to do those reviews. And then you can also have a quality control team who is kind of back checking to make sure that, you know, that the first team is -- has done, you know, what they're supposed to do.

And that quality control team wouldn't come in and review until it was resolved and that they would take a final, you know, last look, if you will. So I think that's one thing that we're talking about, that would assist in that regard.

MS. MARTE: If I may --
MR. RABINOWITZ: There's two of you that wanted to speak at the same time, so long as it obviously concerns what we're discussing right now.

MS. LANGAN: This is to her point.
MR. RABINOWITZ: Okay. Fair enough. Ms. Marte, we'll defer to you.

MS. MARTE: Thank you. The stand-up reviews make a big difference, too. So when there's an understanding that you've got to be really thorough in your work upfront, because at three, there's a group coming in to discuss it. That makes a significant change in how we approach our body of work and let me leave it at that. And those standards were missing and we've put them in, both in the fire official's lane and the building official's lane.

Thank you, Mr. Jabouin. Thank you.
MR. JABOUIN: Thank you. I'm Joris Jabouin and I'm the District's Chief Auditor. With respect
to the third dot in the agenda as far as the Big Three schools, I wanted to add some wording regarding audit.

So my office, the Office of the Chief Auditor, has engaged RSM to do audits on our behalf, and they're on the line right now. Our school board had asked me to get the Audit Committee's weigh-in on the scope of those audits. And then the Audit Committee asked me to attend this meeting.

So with RSM on the line, the question for the Bond Oversight Committee, as we proceed with establishing the scope of those audits, is that are there any thoughts to us of the audit function and the team that's on the phone as far as areas of interest that the Bond Oversight Committee would like us to include as we develop that scope.

So that's the question for the committee. And David, if you're on the line, I'm not sure if there's a question you wanted to ask to the Bond Oversight Committee. I guess this question is a little bit sudden for you?

MR. RABINOWITZ: I'm not sure this is
something we're prepared to answer at this very second.

MR. JABOUIN: Okay. Well, I'll attend
future meetings and the idea of me attending the meetings is to make sure that $I$ understand the various points that are brought out at this meeting, as we continue with our work.

MR. CORTES: Do you have a scope you want to share with us, and we can give you comments on it?

MR. JABOUIN: David, the question -- there is a question about a scope. Can you tell the committee some of the thoughts that we have so far?

MR. RABINOWITZ: That could probably help.

MR. JABOUIN: David?

MR. SABRA: Yes, happy to. So we currently anticipate performing procedures that we've titled --

MS. MILLER: Joris, can you get a microphone in front of that so we can hear?

MR. SABRA: -- we would start with an analysis of the 2014 facilities assessment and that would basically guide our process for reviewing source documents including design documents --

MR. JABOUIN: Sorry to interrupt, David. Can you begin again for the committee?

MR. SABRA: -- conducting interviews with
administrators, principals, the program manager --
developing and understanding how the scope of
these projects evolved over time.

MS. MILLER: David.

MR. SABRA: I'm sorry, can you hear me?

MS. MILLER: Can you please start again? We had trouble hearing you in the beginning.

MR. SABRA: I'm so sorry for that -- I apologize for that.

So I was explaining the process by which we intend to look at the Big Three projects, starting with the 2014 facilities needs assessment, and working our way until today. Reviewing source documents that speak to modifications to the scope from its original intended scope, to what was constructed today.

So we realize that we won't be able to get all of the information needed to provide a complete analysis from just the supporting documents. But we certainly intend to obtain and review those first.

And then to interview school principals and administrators, members of AECOM and Atkins team, members of the Office of Capital Programs, as well as design and construction professionals that were involved in the projects.

So based on what $I$ have heard today and some

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of the prior meetings that we've had, we've also added
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certain elements to that scope, which include
inquiry and perhaps some inspection and observation
around compliance with ESRAP as well as the
District standards.
Reviewing the Castaldi analysis that were
performed on these schools, confirming and notating
and understanding of the destructive testing that's
been performed, as well as a few other items that
are pulling us towards obtaining an understanding
of how the scope of the work of these projects
evolved from the initial needs assessment.
So I hope that provides some context.
MR. JABOUIN: As well, in the interim me and
my colleague, Eric Seiffer, will attend these
meetings regularly and we'll incorporate
significant comments that are brought out of these
meetings into our program. Thank you.
MS. KRISHNAIYER: I just have a question.
What was the reason behind the Audit Committee's
request?
MR. JABOUIN: So in addition to this
committee, we also attended the Facilities
Taskforce and we'll attend a Diversity as well. So
the idea is to get as much input as possible.

MS. KRISHNAIYER: Thank you.

MS. LANGAN: I can move forward.

MR. HILLBERG: Please.

MS. LANGAN: So one of the elements before $I$ let Ashley take it over is as a part of $A E C O M^{\prime}$ s contract, we also are required to go back to the whole program and do a reconciliation through the processes of what started in 2014 and what was actually built.

So as we finish up the design of the program, we have two staff people that will be solely focused on performing that scope of work.

Okay. So, Ashley?

MS. CARPENTER: Ashley Carpenter with Atkins.

So the idea behind this slide was that

TaxWatch had noted in their report that the budget
flash for the quarter were noted as budget issues.

And we just wanted to kind of make note of the fact that these were construction awards which were essentially establishing the project budget for those projects.

And it is, you know, significant money and that's -- but this is the normal part of the practice of the District in the SMART program is when we get to construction, we, as part of the
award by the Board, establish those budgets moving forward.

And then, on the next slide, in Recommendation No. 6 in the TaxWatch report, TaxWatch noted that the report, which had been in previous reports related to penalties of consultant firms during the design phase, or design-related delays, was not present in the report.

There was no activity in the quarter on that. We're still monitoring those contracts, and as companies come forward for additional services or additional compensation related to if they had an FLCC increase clause in their contract, when they come forward for those things, we assess any design-related delays and work in, you know, credits along with those additional services, amendments.

And on the next slide, looking at the -- oh, sure.

MR. CORTES: Do you mind?

MS. CARPENTER: Oh, absolutely.
MR. CORTES: Is that part of the . 5 that she was sharing, or that's separate?

MS. CARPENTER: No, this is separate.

This is really for consultants design delays.

It's separate from the contractor change orders. So on the next slide, this is the kind of really summarized version of the quarterly risk assessment. This quarter, the risk assessment overall stayed at the same level, of which the District has reserves covering the 70 percent risk result.

At this point, when this risk assessment was done, as of the end of September, which is the same quarter as the BOC report, about 85 percent of the program was under contract, with 15 percent remaining to be contracted.

There are, you know, we're measuring risks in the market as well as risks due to change orders. We've seen significant increases in new addition costs, you know, the costs of new buildings, of which we do still have one coming up at McArthur High School that has not been contracted yet.

So, you know, if you have any questions
related to this, I'm happy to answer them. But I think that's -- is that the last slide for Facilities? Okay.

MR. RABINOWITZ: Any questions? Thank you. Move over to Finance.

MR. WHITNEY: Before I do, I'm just going
to pause and see if TaxWatch had any comments on the Facilities section; is that appropriate?

MR. HILLBERG: Sure.

MR. NAVE: Okay. Would the committee mind if I held my comments until all the District staff presentations were finished?

MR. HILLBERG: Whatever you're comfortable with, Bob.

MR. NAVE: I'm very comfortable with that.

MR. HILLBERG: Okay.

MR. SHIM: Thank you. And before I get
started, $I$ just as the staff, I guess, liaison to the committee from the District really wanted to thank Blanche Ely High School, the principal, the assistant principal, and you know, the Color Guards and everything. It was great.

And also wanted to thank Beacon for their efforts and being here. Thank you. And staff and everybody else.

Okay. Again, my name is Omar Shim. I'm the Director of Capital Budget. This quarterly budget activity report is for the quarter ending September $30 t h$.

The total SMART program budget increased by 21.7 million over the last quarter from one
billion, five hundred and five point eight million, to one billion, five hundred and twenty-seven point five million. Which was -- that's shown on Page 349 of the quarterly report.

And a detailed list of each project that had a budget increase is shown on Page 353 to 375. That shows all the transactions in and out of the funds that were available, and also, you know, the Board approval dates.

From the total of one billion five hundred and twenty-seven point five million, one billion three hundred and four point nine is either committed or spent. And the balance of funds that are not encumbered or spent is two hundred and twenty-two point six million.

Expenditures through the first quarter are nine hundred and thirteen point five million, as shown on Page 377 of the report. This is a fortyfive point three million dollar increase in expenditures from the previous quarter.

Purchase orders in place are three hundred and ninety-one point four million.

In addition to the SMART program funding that are identified in the project budgets, the District set aside a reserve in the amount of six hundred
and ninety-one million, that has, you know, in various times where we infuse funding in the program. And this was for additional costs identified for the Atkins risk assessments.

The District's finance team works with Atkins, our cost control consultant, to adjust our reserve and address the risk assessment, so that the SMART program is financially feasible.

Next slide.

Included in this report is on Page 379 and 380 is a new section, on the finance closeout schedule. And this provides details on financial and closed projects and funds recovered that go back into the program.

The District will continue to monitor our closeout process and work with Facilities on that process, to have it be as efficient as possible and provide reports to support that.

Finally, just to let you know, this quarter we have a new capital outlet plan that was approved with the EFP. It's \$3.5 billion; 475.7 million is unallocated reserve over the five years.

So as we look at our plans to do a long range plan and other things to support and bridge from the SMART program, we'll have funds set aside to be
able to address those things, based upon the Board priorities.

We did have funding for some areas, FFNE, playground repairs, the Parkway Middle School replacement building; Deerfield Beach Elementary School covered walkway. Structural inspection pilot program, IT and infrastructure. And then we had some -- a number of things that were like inspection and license renewals.

And then we also funded replacement of damaged music instruments, you know, any replacement in the SMART program. And Coral Glades added a new auditorium and there was portable demolitions.

So that's it.

MR. DEMOPOULOUS: I just want to get my
numbers straight for just a second. If we can go to the first slide for just a second. And for those people that are on this committee, and have only been on this committee for, whether it be a couple of years or new to the committee first time, Omar, correct me if I'm wrong, but this bond, when it initially got started was $\$ 1$ billion.

And am $I$ seeing it right that the $S M A R T$ outlay is \$1.5 billion?

MR. SHIM: Yes, you are.

MR. DEMOPOULOUS: And when I'm looking at $\$ 222$ million, is that balance on the 1.5 or the original budget amount of one billion?

MR. SHIM: It's on the 1.5.

MR. DEMOPOULOUS: And what is the source then, just for the folks on the committee? I always feel as though I ask some questions on behalf of the public. What's the source of the additional \$527 million?

MR. SHIM: It's other capital allocated funding that would include mostly millage funds.

MR. DEMOPOULOUS: And I guess this will go back to the audit at some point in time, to do an analysis as to why this entire project has gone $\$ 500$ million over the initial budget? I mean, are we -- is there any way to tell us what the key issues were, why this, for lack of better words, budget was blown?

MS. MARTE: So if I may, sir, I can attempt to.

MR. DEMOPOULOUS: Sure.

MS. MARTE: And I'm fairly new to the whole process, but $I$ have been with the District five years. So the initial risk assessment was flawed. So if you look at Page 19, we can walk a little
bit of a journey together.
Shortly after that risk assessment was done, when the District actually started to look at the projects, very early on, $\$ 225$ million was committed by the Board to do what they thought needed to be done at that point.

Since then, inflation's gone crazy with right construction material, significant delays, many of which were cited in the grand jury report, including some of the -- of the District's own internal practices, that created significant construction delays.

There has been work added to the program. And I think that's important to discuss and we certainly can get you a separate number for that. But as an example, Northeast's original scope and what was eventually approved for them, was significantly different. It was new building versus replacements.

Markham Elementary was not in the scope of the program and it's included here. So there was probably not quite a hundred million dollars of additional scope that was added.

But yes, it is a big number. But when you look at additional scope, the acknowledgement that
the initial assessment had some significant flaws, the inflationary impact is the lowest of the portion of that number.

Nonetheless, had we moved quicker, absolutely, sir. Had the District been more efficient, it would have cost less money.

MR. DEMOPOULOUS: And forgive me if I may ask, but I think we'd be remiss if we didn't.

MS. MARTE: Well, it's a huge budget -- on face value, a huge budget increase. And being involved in the program as much as I am, since April, and with my background in finance, it's certainly a valid question, sir, because I've asked the same thing.

MR. DEMOPOULOUS: It's -- go ahead.
MS. KRISHNAIYER: Considering that, do we have enough funds, you know, the 220 and the 139, to go through completion of these projects without any further increases? Is that enough money?

MS. MARTE: So the short answer is yes. You want me to give you a few more sentences and give you a longer answer, I will.

So the short answer is yes. The SMART
reserve, which today, because $I$ just signed a memo before I came over here, is 108 million, because
since this quarterly report, we've done a lot more
construction and payments.

The balance in the reserve is 108 million. We have 18, and I believe Kathleen just said, projects that haven't been awarded yet. That $\$ 108$ million covers the Atkins risk assessment at 70 percent.

But because we have so many projects in construction, the delta between the Atkins risk assessment at 70 percent and the high end is only \$14 million. Our -- so that 108 is already promised to the program, based on what we know, that's what it's going to cost.

In addition to that, the District has \$147 million of unallocated capital funds as of two hours ago. I literally just signed a memo for the Board.

So $I$ don't want to use a penny of that money, because to your point, sir, we've already exceeded the budget. And when the long-range plan comes to be, we've got significant needs. And the Board's going to have to prioritize how the dollars we have available meet those needs.

So, yes, we have enough money.

MS. KRISHNAIYER: Just a comment. The additional, you know, you mentioned all of the new
projects that have been added since the full scope of the project in 2017. I'm not sure the community is aware that new projects were added.

And perception is that the delays, it's all based on the original list, original scope that we were all given. So $I$ think it might help if we go ahead and make people know, let people know, that additional jobs have come in. It's not just the original list.

MS. MARTE: So if I may. There were some new jobs. But the preponderance of the additional dollars, that half a billion-dollar delta that Jay referred to, was a flaw in the risk assessment and additional costs because of inflation and escalation in costs.

There was some scope added to your point well taken, and we can bring that to the next meeting to actually outline, because capital budget has kept great track of it.

An example is the Stranahan cafeteria that hopefully the Board will approve tomorrow. That's not in the SMART program. And historically, we've just added that in because Kathleen and AECOM manage it for us. But it was not part of what was promised when we went out for the bond. And it
is really important that we separate those things.

So point well taken and maybe we've got a little bit more work to do, Yvonne, to make sure we know that. Because some of the things we're calling SMART aren't.

MS. KRISHNAIYER: Right.

MS. GARTH: And that's a question that keeps coming back.

MR. RABINOWITZ: No pun intended.

MS. KRISHNAIYER: That's a question that keeps coming back to us from parents and the community, that, you know, it'll be very useful --

MS. MARTE: We'll take that as a follow-up for the next meeting and Mr. Shim, I know he has information ready to go. We'll get it out to you, probably before the Christmas break.

MS. KRISHNAIYER: Thank you.
MR. CORTES: On the commitments and expenditures, how much is financially closed, but you know it's already.

MS. MARTE: So that's a great question. It's actually on our agenda for this week, because there is a significant delay in the construction closeout and the financial closeout. And I need to flow chart it and understand why.

So if you wouldn't mind giving us a little bit of time to get you an answer to that, but $I$ want to acknowledge that in my opinion, and believe it or not, I actually started my career in public accounting and construction accounting. I worked for a CPA firm and we did audits of construction accounting closeouts. So $I$ know a little bit about it. It's taking way too long. And it's an internal process to Broward schools, it really is.

MR. CORTES: I assume that that financial flow chart still creates a higher forecast on that risk because you don't have the financial closure down, or no?

MS. MARTE: No, that's all included in the budget. So the retainage and all that is already budgeted out. If anything, it's going to minimize the risk, because when we close it out, there might be retainage coming back to the -- there might be contingencies that were built into the project that didn't materialize, that come back to fund balance.

MR. CORTES: Yeah, but they're in your risk report, yeah?

MS. CARPENTER: It depends on the project. I
mean, I think it's very close to closeout. We already have, you know, then I've started to
basically sweep out of the risk what $I$ know is coming out. But we do have, you know, a large number of projects where the work is complete, but the contractors can't get finals. And $I$ really haven't touched those in the risk assessment.

MS. MARTE: So it'll get better?

MS. CARPENTER: Yeah

MR. SHIM: With regards to the project start that have completed financial closeout, there is a -- we added a new report in the financial section.

MR. RABINOWITZ: It's actually here.

MR. SHIM: Right, right. So we do have a hundred -- the final expenditures on those projects was 147.4 million, and we did recover 19 million.

MR. RABINOWITZ: Any other questions? All right, moving on, SDOP?

MR. BALLOU: Good evening. Hello. All right. Robert Ballou, Officer of Economic Development and Diversity Compliance. We modified our presentation to give you an update on what we're doing to increase our spend with African-American and specifically Caucasian female businesses.

So there's little tweaks to the presentation, so if you just bear with me.

First slide.

This came to the question last time. Today, we have 492 certified firms as of last Tuesday. We update our files every other Tuesday, so we're 492 right now instead of 477 , just in case someone wanted that.

Again, that 28 percent is based on the new spend of around 1.4/1.5 billion. We were trending at 33 percent before some of the changes came into the budget, and one associated with local spend. So that affected our spend, but we're still -- the 28 percent is still directionally toward our goal and we're still moving toward that 30 percent.

Next slide, please.

We want to walk the committee through who do we have to do business with? We have 492 or 477 suppliers, depending on what day of the week you look at it. But who do we have that is local, that's certified, that's prequalified with bonding greater than $\$ 3$ million, because the average SMART project is a little greater than $\$ 3$ million.

Well, we have 21 firms. We have five AfricanAmerican, we have ten Hispanic-owned businesses, we have five Caucasian female, and we have -- I'm sorry, three Caucasian females and three small businesses.

And if you go to the next slide.

There is our spend that we talked about, the 28 percent and the dollars by category. And you can see that we've done $\$ 27$ million with AfricanAmericans and $\$ 31$ million with Caucasian females.

How do we increase that number? Well, the first thing that we have to look at is, okay, remember we talked about the five African-American contractors that had bonding and the three womenowned companies that have bonding.

Well, then you look at the aggregate bonding amount of those contractors, this is not hard science. This is directional, so bear with me. Those five African-American contractors have a total of $\$ 110$ million in aggregate bonding. Meaning they can't do more than $\$ 110$ million.

And then, you know, the women-owned companies that are in this report have an aggregate of 35 million and we've already done 31 million.

Now, some things will close out, so the number is rotational. So it's not an absolute, but bear with me. So one of the questions was, how did we do so much business with these vending suppliers, and we didn't go after just African-Americans,
right, that's kind of the count. Why are you 79 percent above.

Well, here's the fact. There is $\$ 580$ million in aggregate bonding with those ten suppliers. So that's how they got up to doing \$342 million because they had the bonding capable.

So if you want to know why we aren't doing more, because we need more bonding for our AfricanAmerican and women-owned suppliers. That could be an obstacle for their success in the future.

Again, the numbers I'm using are directional. After that, $I$ have 1.48 , but $I^{\prime} m$ not a finance person, nor was $I$ in accounting. I'm a political science major, so that would be my -- if you can give me grace on my small variance on my number.

Next slide.

So, we continue doing our pre-bid conferences. We invite those five and three suppliers and say won't you please come bid. Come to the pre-bid conference. Also, suppliers that aren't going to be prime, come so you can meet the prime, so that you could be included as a sub-contractor.

And we'll talk about that number now, because now with some of the new systems that we have, we're able to report our second tier spend, or
our sub-contractor spend.
So we will continue our pre-bid conferences.
From those pre-bid conferences, we have -- so all
those -- all five African-American suppliers that
we've listed that had bonding, we do business with
all five. A year ago, we did business with two,
and we added the other three. And likewise, the
woman-owned company, we brought her in, so now we
do business with everyone that had bonding.
Next slide, please.
Sub-contracting, well, every one of our SMART
projects has, today, a minimum of 29 percent. A
couple of years ago, we started with 12 percent.
But the average is always greater than 40 by the
time the supplier presents it. And as a cross-
check, for this reporting period, the contracts
that were awarded had an actual 42 percent sub-
contracting commitment.
So our small suppliers, while bonding may be a
constraint to being a prime, it's not a constraint
to being a sub-contractor. So we're seeing a high
use as a sub-contractor.
Next slide.
We continue to do our advertisements for
whenever there's a new solicitation. Working with

Garth as the solicitation is finally approved, you know, the cone of silence comes out with the marketing vehicle that we then advertised on social media. I just got one while $I$ was sitting here waiting for my turn to speak about another project that's coming.

And then we advertised our suppliers and give them a launching pad to increase their marketability to the other school districts and business community.

So hopefully, they can grow in their business, maybe get business somewhere else, to then give them a higher dollar amount so they can get a higher bonding. Because the aggregate bonding won't be greater than two times the largest completed project. So if we can help them get another project, that will also help raise their bonding.

Next slide.

Again, we are doing better in notifying suppliers for renewals, so we don't lose a supplier because of paperwork, which is, call it what it is. We've lost several suppliers just because we sent them a renewal notice, and they forgot to respond. So we're getting better at not allowing someone to
be lost just because of an email.

Doing more technical assistance because there are suppliers that are not familiar with B2T now and that's the system we use to capture the data in terms of spend, where they're spending and how they account it. So we do all day, every day, I have two people dedicated on just doing what I call B2TD customer service, to make sure the data's right.

And then, finally, we launched a tri-county reciprocal certification that if someone is certified in Palm Beach County Public Schools, or Miami-Dade County Public Schools, it takes a whopping 45 seconds to get certified here at Broward County Public Schools. I did it, because I did the first one, and it took me 45 seconds, and I don't know what $I^{\prime} m$ doing.

So, and the logic behind that is they both use B2D now, we use B2D now. We can go into B2D now, I can see all of the paperwork they submitted to Miami-Dade and Palm Beach County.

So we're treating it almost like a piggyback. Since $I$ can see all the work they did, why make the supplier re-submit everything just to me? And then we have -- so it's up and running, literally 45 seconds instead of 30 to 60 days.

We're going to use this to scroll their list of pre-qualified suppliers that have bonding rated at \$3 million, and then I'm going to say guerrilla market to those suppliers about getting certified here. I am just going to certify them and then send them a letter recognizing them for their certification and start inviting them to those prebid meetings.

Next slide.

We do a lot of activities that all the activities are bound with increasing the utilization of local suppliers. And we put a focus on African-American and women, but we're -- our overall goal is how do we make sure that all local suppliers know how to do business with the school district, right.

So just so you know, the benefit of all of our suppliers, we just put a little extra lagniappe or little different, looking for African-American and women, but understand that we are wholly focused on a local supplier, period, regardless of their gender or ethnicity.

Next slide.

So what are the results? Well, as you saw, as TaxWatch pointed out, again, our team had -- well,
mostly our team, I have an issue with the 33 percent of available African-American suppliers because I don't believe that's a true number. But directionally, we have more African-American suppliers than we're using; however, there's bonding associated with it, that that doesn't capture.

So I won't throw a rock at TaxWatch until I have a bigger one to throw at them.

But it is true that there's a gap and we could do more. So we have seven percent of work has been awarded to African-Americans in the life of the program. In this past quarter, we had eight percent, and Hispanics, 92 percent continuing the trend.

The win here is under sub-contractors. We can
now report that 16 percent of sub-contracting dollars at 42 percent went African-American suppliers and these are African-American men and female.

Fifty percent went to Hispanic suppliers; 32
percent -- sorry, that's African-American men,
Hispanic men and then all women would receive 32
percent of the work regardless of ethnicity. And the small businesses got two percent.

So we are achieving our goals, if you will,
in sub-contracting because we don't have that bonding
constraint. At least that's one of the reasons.
It's not the only reason, so bear with me. But a
big reason is that bonding constraint, and so minus
the bonding constraint, you can see what we maybe
could do.
And then the last slide is just we're
everywhere connect with us, follow us. You will
see every solicitation the District submits comes
through my office. And my office will do a social
media engagement on literally every single
solicitation, prompting the person to go to
DemandStar, so they see the solicitation and then
follow the normal procurement process. Because
it's literally just a link to DemandStar, not any
extra communication, and that was from my lawyer,
that last piece.
And that completes my report.
MR. RABINOWITZ: Questions? None? We'll
move. Thank you. Communication.

MS. GARTH: Thank you. Good evening. I'm Yvonne Garth, part of the AECOM Program Management team and the Communication's liaison for the SMART program.

So really happy to report some highlights for
the quarter. Just start by just reiterating that this
-- the reporting period for this report is --
covers the summer months and as you heard earlier
from Kathleen, there was quite a bit of activity at
the schools. And I'd be remiss if $I$ just didn't
emphasize it, including, 203 HVAC improvements, 300
electrical improvements, completed over the summer,
and 33 roofs completed over the summer; seven media
centers.
So it was -- there was a lot of work happening
over those seven weeks. And our communications
team was out in the field, photo documenting, video
documenting a lot of that progress.
So that culminated here, next slide, please,
into two significant campaigns in this quarter.
One just we captured the activity in the
schools over the summer and during back to school,
when the kids were going back to school, we
launched a couple of initiatives.
One a video that captured a lot of the work
and featured the work that happened over the summer
through our video, as well as a blogpost that we
were able to send out through ParentLink to all of
the -- to the entire school community.
So we were also able to update 180 pages. As
you know, the website has an individual page for every single school. So we updated 180 pages to reflect the activities over the summer.

And those schools, actually all those schools, next slide, please, also received a notification to encourage them to visit their individual school page.

And we used the opportunity to include a digital flyer in the back-to-school package, again, just re-educating the community on the SMART program, how to stay tuned, how to find their page, and keep informed. And as a result of those two campaigns, we had 12,000 visitors to the website this quarter. Very excited about that.

We continue to work with the municipalities to help -- ask them to help us get the word out. So far, we have 16 cities that have included a link to the SMART website on their municipal pages. So they're helping us to promote activity for their particular schools.

Next slide.

One of our initiatives has been to work with District communications to try and get publicity for the schools in local newspapers. So far, we've had 15 stories that have run in local papers. And
just this last quarter, we -- a few just last week, we had two articles that ran. One for Driftwood Middle School's new media center.

And also, we got coverage for Margate Elementary School's groundbreaking, which was last week. We're very excited. That was a very successful event. Margate Talks is the publication where that story ran and we continue to look for opportunities to get coverage in the local papers.

So just that completes the update for the last quarter, but just wanted to mention that going into 2023, you'll see a lot more activity and events, celebrating key milestones.

In particular, the -- for those projects that are remaining in design and starting to begin construction, as they mobilize, we'll have groundbreakings and/or celebrations at staff meetings or official groundbreaking events to celebrate that milestone. As well as ribbon cuttings and other events celebrating the closeout and completion of projects.

So you'll see quite a few events happening
over -- during 2023. Stay tuned for that.

That completes my update on communications.
Happy to answer any questions.

MR. RABINOWITZ: Questions? Okay. I think that brings us to you, Bob, and your bag of large rocks.

MR. NAVE: Mr. Ballou knows very well that TaxWatch reviews what TaxWatch receives.

I just want to say, first of all, $I$ want to thank the District for the effort that the staff puts in to very detailed responses to issues and recommendations that we raise in our report.

But my problem with it is that putting that very detailed content into an appendix and handing it out to us at these meetings serves a very limited public purpose.

I think it would be much more effective if this type of content were put in the report in the first place. We've been doing this for seven years now. The District should be pretty good at figuring out what we're going to look at and what we're going to hit upon, what we're going to recommend.

So again, I would ask the District to focus on putting some of this content in the report instead of the responses that we get.

I also want to point out that in this report, there's a handful of issues that $I$ think fall into the category of pleasant surprises. And I'd be
remiss if I didn't bring those up.

The first is if you go back and look at the 2020 schedule reset, and if you look at Figure 3 on Page 9 of our report, we've got a bar graph that shows projects that were flagged by the quarter before there was a reset and afterwards.

And before the scheduled reset, the number of projects flagged for schedule delays was just under 200 per quarter. Since the reset, they've been about 40 per quarter. So $I$ think it legitimizes the reset and the flattening and the widening of the construction schedule. It's maybe getting much easier for staff to manage the construction projects. We're seeing that.

Also, the fact that there were 46 projects that are actually ahead of schedule this quarter. And $I$ think that bears mentioning again.

The four quarters ago, the District started assigning levels of risk of projects. And the risk was of additional redesign or other changes in the scope.

And the first three quarters, if you'll look and then $I$ think that's Figure 4 on Page 10 of our report, one sees a pretty steady escalation in the number of projects that were assigned a medium or
high level of risk. This quarter it went from 76 last quarter to about 27 this quarter. So there are much fewer projects that are a greater risk of redesign and other changes.

I think the big one is the school board finally, after repeated recommendations, approved delegation of authority for the superintendent to approve change orders subject to certain limits. That's a good thing.

With regard to the Big Three schools, the delays and the levels of risk are somewhat diminished, compared to the last quarter.

And then one other thing we did is we looked at the spend or the burn rate. We've been looking at burn rate over about the last two years in our reports, and we have come to the -- we've expressed the concern that there may not be enough money to get to the end of calendar year 25 .

What I did is $I$ went back to the inception of the project and looked at all the spend rates. And I looked at where that spend rate jumped up, where we saw that big spike, because of the construction, the design, everything was starting to really get going, and $I$ used that as my baseline.

And using that as a baseline, it looks like
the money will go much deeper into calendar year 2025 . So concerned about running money -- running out of money is not as big a concern this quarter as it has been in the past, because I've looked at the different baseline.

So those are good. I was pleased to see those kinds of things in this report. But having said that, I think there are still four significant challenges going forward. One is controlling the cost. The other is maintaining the construction schedule and the scopes of work.

The third risk is resetting the expectation of the Broward taxpayers, you know, they've had to come to grips with this new schedule reset. And the fact that the projects are going to take longer to be completed and they're going to cost more at the end.

And then $I$ think the final challenge is resetting or changing the perception that the District is not a good or compelling place to do business.

So those are the challenges going forward.

I'd be glad to answer any questions any of you have on our report.

MR. RABINOWITZ: Those rocks weren't so bad.

MR. NAVE: Tablets.

MR. RABINOWITZ: In fairness to the Board, though, $I$ don't think they can read your mind and anticipate what your concerns are going to be about.

MR. NAVE: I don't disagree.

MS. KRISHNAIYER: I did want to say, though, it's not in the report because that's going to be tough. Could we get the answers to Bob's recommendations just before the meeting? A day or so before the meeting, then we could read it and you know, it would be better. Because it may be tough to put it in the report, because the report comes out much earlier. So if he could get it just before the meeting, that would be equally helpful.

MR. RABINOWITZ: Ms. Marte, you want to say something?

MS. MARTE: So Mr. Shim will answer that question, but I'm more interested, if $I$ may, in taking TaxWatch's suggestion and looking at their recommendations, which are fairly consistent, and looking at how we bake them into the report. So we're not writing as many responses to recommendations that TaxWatch has shared with us historically.

So I think that is a very -- I heard you, sir, and I think it's well taken. And I think we're at the stage now in the body of work where we need to sit down and do that and modify this to minimize that. And then I'll let Mr. -- that sounded horrible. Modify that, to minimize that. Modify the report to minimize the amount of writing that everybody's doing.

And if we do that, then $I$ think it's a fair ask for us to get it to you all earlier.

MR. RABINOWITZ: But wouldn't that change production schedule, though, in some regard?

MS. MARTE: If we address this now, it may, and I'll -- and Mr. Shim knows better than I, but the more we bake into this, that becomes part of the document.

Mr. Shim, I know we're being recorded, but it's like herding cats to get everybody to get their answers to him. Which is why there's always a delay, because he's got to push and push and push, because people are busy. Everyone's trying to get their work done.

This is very important. They made the right person the liaison to the committee because he's relentless. But that being said, if we can
minimize what we need to respond to, then $I$ think $M r$. Shim has a better chance of getting it out a little bit earlier. Mr. Shim?

MR. SHIM: Yes, actually we were thinking about the same thing. And you know, we can't anticipate what's going to be asked.

But we can take what has been asked and take a look at that. I thought that AECOM and I can provide a lot of detail and good, great answers. Which really took a lot of effort in between the small amount of time us getting the TaxWatch report and putting together such a detailed response.

But I think we can certainly take a look at what we did provide and make sure that we incorporate those answers into sort of the report just like you said, $I$ think it's a great suggestion.

But as far as getting the answers out before, it's very, very tight between that one week that we get the actual responses and then, you know. So depending on how detailed the answer.

Our commitment was to provide, you know, but Sam's not here, but yeah, we can do our best to get out an advanced on the TaxWatch responses.

MS. MARTE: Well, Sam's no longer in the
program.
MR. NAVE: Yes, but I think the last couple of times, there was a gentleman's deal between Bob and Sam.

MS. MARTE: Just so I make the statement
publicly, Mr. Bays is now the executive director, task assigned to PPO, where he spent 13 years of his career before volunteering to step up and be task assigned as the executive director for capital improvements.

I had to make a choice. I had a retirement. There was not a good succession management plan in place. Mr. Bays was the director at PPO, he was well loved, he was respected. The team worked well for Mr. Bays.

So I took on the additional burden, because I knew $I$ had Kathleen to do the real heavy lifting, over here while Mr. Bays went back to PPO. And he does partner with us in many, many projects. But he is not front and center in the bond program at this time.

MR. WHITNEY: Jeff Whitney, Assistant Director of the Capital Budget. I'd also like to point out that because of the way that this is timed before this information goes to the school board for their
workshop, we are able to include the responses to these recommendations for the school board members for that discussion. So that is uploaded to their workshop agenda and available for their purposes at that meeting, as the member will give an update to them from the committee.

And then, those responses are part of that material that they receive. And so that is very useful, even if it's going and implemented it's getting to the school board members for their consumption and use at that time, too, so.

MR. RABINOWITZ: Any other questions,
comments? Bob, you done?
MR. NAVE: Yes, sir. Thank you.

MR. RABINOWITZ: Hearing nothing else, the
next issue is the next school board workshops on

January 24 th. I know I'm in trial. I looked at my schedule. So who here wants to attend the workshop?

MR. HILLBERG: I'm in trial, yeah.

MR. RABINOWITZ: Yeah? My occupational
hazard.

MR. HILLBERG: It might be my turn, I don't
know. Chief Demopoulous was in the last, would you like to tell us what happened last time? Or no,
skip it.

MR. DEMOPOULOUS: So let me just share a few key topics with the school board. They started, I believe on time, which was very nice. It was a longer meeting, because it was, I think, the first time that board heard about the bond oversight. So they did ask a lot of questions, not so much geared towards me, which was amazing, but geared towards all of you.

But we did bring up about rotating the meetings, about the change orders. I know in some of the previous notes, we had the change orders as 15,000, but Ryder confirmed that he said 50 , not 15. So that was one of our questions. I'm very happy to see that that was passed.

We talked about holding architects, engineers accountable, some safety-related items, and ensuring that there's proper funding moving forward.

One of the things that was brought up, that there was no process yet, but it was talked about as a process to check vendor workload prior to awarding a bid. I don't know if anything has been done on that.

But that's all I have.

MR. RABINOWITZ: But still, we still need somebody to cover the workshop on the 24 th to give the Board a report of this meeting. Come on, Laitha.

MS. KRISHNAIYER: I don't think I can. I'm not here.

MR. RABINOWITZ: Come on, you were, I think the one before him.

MR. HILLBERG: All right, it's me.

MR. RABINOWITZ: All right, Steve, thank you so much.

MR. HILLBERG: Okay. At the end of the meeting, I hope people have some items that we can take to the board. I neglected to do that when I filled in for you last time. And we didn't discuss that as a board and Jim Demopoulous had to go alone and make them up. So I apologize for that.

MR. RABINOWITZ: Well, do we want to discuss the main points right now? I think that Bob had four specific areas of concern, staying within budget, staying on schedule, maintaining good relations to make sure people still want to do business with the school board. And --

MS. MARTE: Resetting the taxpayer expectations.

MR. RABINOWITZ: Thank you.

UNKNOWN SPEAKER: And Steve, if it helps, I'll be glad to send you something, some notes.

MR. RABINOWITZ: Anybody else?

MS. KRISHNAIYER: I just wanted to ask Ms. Langan, you mentioned a policy that will go before the Board. Do we need to address that?

MS. LANGAN: Well, that is our recommendation that a policy be developed that is, you know, similar to other --

MS. KRISHNAIYER: The percentage.
MR. RABINOWITZ: Two percent, right?

MS. LANGAN: Oh, well, that would be a part of the policy, that there would be a baseline. That has to be a discussion point with the District, first, before we bring that forward. This is just something that we're recommending.

And when you look at the detailed responses, we'll give you an example -- we've given you an example of really what the costs of these change orders are to the District. In excess, you know, it's not the change order amount, right, it's -- so please take a look at that and that will help you understand the dollars that the taxpayers are paying for changes that are, you know.

But, yes, we can easily develop that policy. It has to be vetted through the District first and then I'd like to think that we would get that support to put that up to the Board.

MS. KRISHNAIYER: So we don't need to address it --

MS. MARTE: No.

MS. KRISHNAIYER: -- at this time. Okay.
MR. RABINOWITZ: Anybody else has any thoughts for Steve to present at the workshop? Next?

MS. KRISHNAIYER: I just thank them for changing, you know, the change orders. That's good.

MR. RABINOWITZ: Yes.
MS. KRISHNAIYER: That's a positive that we had asked for.

MR. RABINOWITZ: We've voted in our new
member. Very good.
MR. CORTES: You know what, $I$ think that, if you don't mind, I'll say $I$ think that in spite of all of the stuff that has to be going toward, I do think that there's been an incredible amount of progress. You don't hear me?

I think there's a lot of activity going on on construction projects right now. And something
that, you know, is always good to -- I think there is societal things that have to be fixed, and addressed.

But I think there is, you know, having what 200 jobs, you said, or something like, is significant. You see the amount of jobs that our town getting back, you know, taking upon a program like this and turn it around, given all the histories is noisy, yeah.

MR. RABINOWITZ: I think they're the upshot, as Bob pointed out, the positivity. It proved that the reset was an appropriate course of action and the reset has happened, you know.

I think you also have to give a report concerning the Big Three, how they're seemingly complete. I saw the numbers. One was a hundred, one was 87, you know, those were a major source of concern over a number of years. And how they've become what you all call somewhat success stories at this point.

MR. CORTES: You know, I think about a reset. The schedule was reset what, in 2020?

MR. RABINOWITZ: 2020 .
MR. CORTES: Yeah, that's exactly at the beginning of the pandemic, you know. COVID started
to arrive in the first quarter of 2020. So, you know, I know there's delays, and it happens. And this, you know, not agreeing or disagreeing with anything.

But you know, you get a program like this one, you have people that are working from their house. There is no, you know, it's a challenge. It's not to say, so still having a schedule that was reset at that time, and you know, over-extending. And trust me, $I$ know there are places where you have schedules that were zero at that time are behind schedule today. It's not unusual.

And I'm not saying we have to accept that, but we have to take those things in consideration, because it is a big issue right now. There's, you know, short order on HVAC unit. It takes four to six weeks or whatever just to get it. So there is delays here and there.

I do think that $I$ like the idea of looking at a way to half the percentage. I think that policy that you guys have, bring on board. And then the other items have to be approved, obviously, they have to be. This permitting process and all the stuff you are doing is critical to support the work. But anyway, just wanted to highlight
that there's some good stuff going on, too.
MR. RABINOWITZ: Is that enough talking for
you, Steve?

MR. HILLBERG: Yes.

MR. CORTES: You want me to go with you?
MS. KRISHNAIYER: I just want to -- addressing the Big Three, and you know, that's been a focus of attention for everybody. But one of the things that occurs to me, and this is my personal view of it, is that they're three of our older schools, that we're dealing with, with those three schools. And I think that, you know, I've been around this a long time, so to me, you know, the difficulties encountered there would be much more. I haven't been to Ely since 2009. I was here for some event they had, I remember. But, you know, it's a challenge. Those three schools are, you know, especially challenging, because they're the oldest schools in the district.

MR. RABINOWITZ: Mr. Chair, please.
MR. DEMOPOULOUS: Just really quickly with some of the great positive things with the working with the Building Department and Fire Department, and the change orders up to 50,000 .

I would love to see, whether it's the
next meeting or next two meetings, some of that data, you know. Hey, did we go from that 192-day turnaround time, what is it now? You know the number of reviews from the eight, nine, ten times we've filmed the property, what is it now? So, you know, I don't know what is too soon to get some data from that.

MS. MARTE: We would have data the next
quarter. We started tracking it and it's -- we should have some, at least preliminary data. But to your point, we'll take back and talk about how we measure that and display it going forward until the completion of the program.

MR. RABINOWITZ: Thank you. Anything else?

I'm hearing none. We move onto the proposed future dates. I don't think there's -- that's not on it. That's on. The proposed future dates, I think, were selected some time ago. Are there any issues with the proposed dates specifically? We have one March 6th.

MS. KRISHNAIYER: I won't be here. I'll be just landing back. So I don't know what time I come back, but I think it's around 5:00.

MR. RABINOWITZ: Well, that creates a problem, right. How many do we need for a forum? One --

MS. KRISHNAIYER: Yeah.

MR. RABINOWITZ: I want to make sure we're not going to run into a problem if two people aren't available. If two people aren't available, we don't have a forum, right?

MS. KRISHNAIYER: Uh-hmm (affirmative).
MR. DEMOPOULOUS: I'm good by 6th, I don't know.

MR. SHIM: We can, if that March date is a problem, we can circulate something to try to find out if we can change that date to another date.

MR. RABINOWITZ: Why don't we? That's
probably a good idea.

MR. SHIM: Okay.

MR. RABINOWITZ: That's pretty much for now, but if she's not available, I don't want to run into a problem if somebody else runs into an issue.

MR. DEMOPOULOUS: Okay. Thank you.

MR. RABINOWITZ: We'll recess the business meeting, reconvene it. Is there anybody here from the public?

MS. KRISHNAIYER: No.
MR. RABINOWITZ: No? No one's here from the
public. Then we can reconvene the business
meeting. Is there any other thing to discuss

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this evening? Nothing?
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MR. HILLBERG: Yes, sorry. I have a list of five things. I'm going to go through them quickly.

My concern is that in the past quarter, just five projects have come to completion. Obviously, the pace needs to pick up and we have three years left, and more than 150 projects to complete.

So the pace needs to be 12 or 15 projects. And you know, we do see a lot of progress, there's a lot of construction. And $I$ just hope that the numbers will go up.

That's kind of the big picture that is maybe driving this whole thing is we need to get those projects across the finish line.

Second, a question for my fellow committee
members. Does anybody get the Rickards report for structural failure? You got it? I don't remember getting it.

MS. KRISHNAIYER: No. We got it.
UNKNOWN SPEAKER: I could have sworn I got it.

MR. HILLBERG: Well, I don't want to --

MS. MARTE: We can resend it.

MR. HILLBERG: You have it?

MR. DEMOPOULOUS: I have something
labeled Rickards. I don't know to what extent maybe you're looking.

MR. HILLBERG: Was it sent to us? I'll have to look at this. I don't want to -- while people watch me thumb through the --

MS. MARTE: Chair, we can send it out again.

MS. KRISHNAIYER: Yeah, that'll be --
MR. HILLBERG: Thank you. Okay. Thank you.
Number three is response to the public on meetings. On rare occasions we do have a public input and we still don't have any response back from them. They've asked questions and they haven't.

I saw that our third bullet is the mission of the Bond Oversight Committee is to facilitate public communication. And I feel that when someone comes, and makes the effort to present and ask questions, that we need to get back to them.

MS. MARTE: Sir?

MR. HILLBERG: Yes.

MS. MARTE: The superintendent has codified the workflow for those responses. I'll meet with Mr. Shim to make sure. So what's going to happen is when there's that public input, we would come to you, kind of summarize what it was, you know. This
is the answer that we're going to get you, like at the end of the meeting, after the public hearing.

And then you'd assign it a referral number, and the response would come back to the committee, in a formal method.

MR. HILLBERG: Okay. That would be good.

MS. MARTE: So that we worked on that, I believe, two weeks ago. So we can get you the workflow for committee responses and I'll work with Mr. Shim to make sure you get those responses.

MR. HILLBERG: Thank you. Number four. In the last meeting $I$ was concerned about the fire alarms in a school that had been approved. There were a hundred of them. They were approved, expected, seemed like they were okay. But at the last minute, they had to be taken down and replaced because they were supposed to say "Alert" instead of "Fire."

MS. LANGAN: Well, there was a --

MR. HILLBERG: And you, Ms. Langan, thank you, because you did say that you were going to respond, So.

MS. LANGAN: Yes. So it was a change requested by the chief fire marshal that we change that. We have not done so yet.

MR. HILLBERG: Okay. I asked someone at this fire inspection and they'd never heard of -- The State sent it right back and said maybe that's a special requirement of the school district that fire alarms aren't fire alarms anymore, they're alert alarms or something. Anybody, does it ring a bell?

MS. LANGAN: It rings a bell to the extent that $I$ think the determination is instead of screaming "Fire," where everybody runs out of the building, it's just an alert to where people recognize there's an emergency of some kind, and not running out to the building -- out of the building.

MR. HILLBERG: Okay.

MS. LANGAN: I think I did say that I would get back to you on that. I'll talk to the chief fire marshal and make a note of that.

MR. HILLBERG: I'm not too concerned whether it's alert or fire or anything else. It's just that --

MS. LANGAN: I think your question was why the change.

MR. HILLBERG: Why at the very end, when they're already installed, why do we have to take
them out and put them back in. Maybe the cost is minor. Maybe for all 500 of them, or 100 of them, I don't know what the -- it still just seems like a big waste of time, a big waste of money. So put stickers on them instead of that, but $I$ don't know. MS. LANGAN: That's what they were going to do.

MR. DEMOPOULOUS: Just for my clarification, we're talking about the horn strobe, the wording on the side of it. Not actually what's verbalized?

MR. HILLBERG: Yeah, the physical -- the red box may have "Fire" on it. That was to be taken down and then put up -- replaced with one that said "Alert," which to your point, I mean, fire is more of a charged word and would have undesirable reactions. Okay. That's in the works.

And last is -- $I$ don't know if this is an old issue, we were to reevaluate the charter for this committee. We're having trouble with maintaining our membership and whether we want to broaden the categories or other things. And we were waiting for staff to send us the resolution, you said? MS. LANGAN: Resolution. MR. HILLBERG: To help us determine the way forward and to continue successfully.

That's all I have.

MR. RABINOWITZ: Anything else? Hearing none, is there a motion to adjourn the meeting?

MS. KRISHNAIYER: So moved.

MR. RABINOWITZ: Second?

MR. CORTES: Second.

MR. RABINOWITZ: All right. Wonderful. We're
completed. Thanks, everybody.

MS. MARTE: Happy holidays. Thank you all very, very much.
(Thereupon, the meeting was concluded at 7:39
p.m.)

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I, Kayla Williams, Court Reporter,
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I further certify that I am not a relative, employee, attorney, or counsel of any of the parties, nor am I a relative or employee of any of the parties' attorneys or counsel connected with the action, nor am I financially interested in the action.

Dated this 28th day of December 2022.


Kayla Williams, Court Reporter


| 23:22 24:9 25:23 | bid 48:19 52:8 | 50:14,14,18 52:2 | businesses 45:22 | celebrations 57:17 |
| :---: | :---: | :---: | :---: | :---: |
| 31:6 36:13 38:13 | 67:23 | 53:6 54:1,4,5 | 46:22,25 53:24 | center 20:24 57:3 |
| 43:8,11 44:18,20 | big 19:17 26:14 | bound 52:11 | busy 63:21 | 65:20 |
| 55:17,18 59:2 | 27:1 29:9 39:24 | box 80:12 | C | centers 13:5 55:9 |
| 60:19 65:18 71:7 | 54:4 60:5,10,22 | Bradford 2:22 | C | certain 30:2 60:8 |
| 74:11,22,23 77:11 | 61:3 71:15 72:15 | break 43:16 | C | certainly $10: 7$ |
| 77:18 78:4 79:3 | 73:7 76:12 80:4,4 | breakdown 18:4 | 42:20 | 19:16 29:18 39:15 |
| 79:17 80:1 | bigge |  | calendar 60: | 40:13 64:13 |
| back-to-school | billion 35:1,2,10, | brief 15:20,20 | $1:$ | CERTIFICATE |
| 56 | 36:21 37:22,24 | bring 6:13 9:7 | ca | 82:1 |
| background 40:12 | 38:3 46:7 | 42:17 59:1 67:10 | 1:7 71:19 | certification 51:10 |
| bad 61:25 | billion-dollar 42:12 | 69 | c | 52:7 |
| bag 58:2 | bit 12:17 18 | br |  | certified 46:2,18 |
| bake 62:22 63 | 24:14 2 | broaden 80:20 | campaigns 55: | 51:11,13 52:4 |
| balance 35:13 38:2 | 43:3 44:1,7 55:4 | brought 28:3 30:17 | 56:13 | certify 52:5 82:6,9 |
| 41:3 | 64 | 49:8 67:20 | can't 5: | Chair 73:20 77:6 |
| Ballou 2:20 45 | Blanch | Bro | 45:4 47:16 64:5 | challenge $25: 12$ |
| 45:18 58:3 | 20:23 34:14 | 51:1 | capable 48 | 61:18 72:7 73:17 |
| ba | bl | 61:13 82:3,7 | ca | challenges 61:9,22 |
| based 29:25 3 | blogpost 55:22 | budget $2: 11,12$ | 12:15 13:16 24: | challenging 16:10 |
| 41:11 42:546 | blown 38:18 | 24:15 31:16,17,20 | 29:22 34:21 36:20 | 73:18 |
| baseline 20:2 60:24 | board 1:1 4:20 5:9 | 34:21,21,24 35:6 | 38:10 41:14 42:18 | chance 64:2 |
| 60:25 61:5 69:14 | 5:12 6:13 7:20,2 | 38:3, 15,18 40:9 | 65:9,23 | change $7: 1,19,21$ |
| basically $19: 8,23$ | 10:19 11:9,13 | 40:10 41:19 42:18 | ca | 7:21,24 15:2 16:7 |
| 28:19 45:1 | 15:4 17:11 18:11 | 44:15 46:9 65:23 | captured 55:16,20 | 17:22,24,25 18:7 |
| Bays 2:15 6:23 | 19:5,5,19,24 20:8 | 68:21 | ca | 18:24 19:3 22:13 |
| 65:13,15,18 | 20:9,17 23:6,21 | budgeted 44:16 | career 8:2,4 | 22:16 23:7 26:18 |
| Beach 14:15,17 | 27:6 32:1 35:8 | budgets 32:1 35:24 | 65:8 | 33:1,14 60:8 |
| 37:5 51:11,20 | 37:1 39:5 41:16 | building 4:16 6:23 | Carpen | 63:11 67:11,12 |
| Beacon 34:17 | 42:21 60:5 62:2 | 7:7,10,12 10:11 | 4,1 | 69:20,22 70:12 |
| bear 45:24 47:13 | 65:25 66:2,10,16 | 14:18,18,24 15:5 | 32:21,24 44:23 | 73:24 75:11 78:23 |
| 47:21 54:3 | 67:3,6 68:3,14,16 | 15:14 21:15 22:18 | 45:7 | 78:24 79:23 |
| bears 59:17 | 68:23 69:7 70:4 | 22:21 24:7,21,23 | carry 2 | changed 7:20 17:20 |
| beginning 8:9 29:5 | 72:2 | 25:1,14,16 26:21 | Cartwright 8:11 | changes 4:17 6:7 |
| 71:25 | Board's 9:7 41:20 | 37:5 39:18 73:23 | ca | 6:18,19 18:15 |
| behalf 27:5 38:7 | Bob 34:8 58:2 65:3 | 11,13,14 | staldi 22:24 30:6 | 46:8 59:20 60:4 |
| believe 19:4 20:3 | 66:13 68:19 71:11 | buildings 12:20,21 | catch 24:23 | 69:25 |
| 41:4 44:3 53:3 | Bo | $3: 16$ | categories 80: | changing 10:6 |
| 67:4 78:8 | BOC | built 31:9 44:1 | tegorize 15:23 | 61:19 70:12 |
| bell 79:7,8 | body 26:18 63:3 | bu | category 47:3 | charged 80:15 |
| benefit 52:17 | bond 1:2 20:16,21 | burden 65:16 | :2 | chart 17:23 43:25 |
| best 8:3 64:23 | 27:11,15,19 37:21 | burn 60:14,15 | cats 63:18 | 44:11 |
| better 5:3 8:15 | 42:25 65:20 67:6 | business 3:8,25 | aucasian 45:22 | charter 80:18 |
| 38:17 45:6 50:20 | 77:15 | 16:4 46:15 47:23 | 46:23,24 47:5 | check 49:16 67:22 |
| 50:25 62:12 63:14 | bonding 46:18 47:9 | 49:5,6,9 50:10,11 | elebrate 57:19 | checking 25:23 |
| 64:2 | 47:10,11,15 48:4 | 50:12 52:15 61:21 | elebrating 57:13 | chief $2: 10,236: 11$ |
| betterment 18:14 | 48:6,8 49:5,9,19 | 68:23 75:19,24 | 57:20 | 6:17,23,24 11:15 |


| 11:16 17:2,3 | 24:5,22 25:20 | 57:10,24 | consumption 66:11 | counsel 82:10,12 |
| :---: | :---: | :---: | :---: | :---: |
| 26:25 27:4 66:24 | 28:6 30:17 34:1,5 | completing 21:18 | content 58:10,14 | count 48:1 |
| 78:24 79:17 | 66:13 | completion 40:18 | 58:21 | counties 9:3 |
| choice 65:11 | commitment 8:10 | 57:21 74:13 76:5 | context 30:13 | County 1:16:25 |
| Christmas 43:16 | 49:18 64:22 | complex 16:22 | contingencies | 20:3 51:11, 12,14 |
| circulate 75:10 | commitments | compliance 2:21 | 44:19 | 51:20 82:3,7 |
| cited 39:9 | 43:18 | 30:4 45:19 | continue 24:1 28:4 | couple 37:20 49:13 |
| cities 56:17 | committed 8:2,6 | concept 19:8 | 36:15 48:17 49:2 | 55:19 65:2 |
| city 15:4 | 35:12 39:4 | concern 60:17 61:3 | 49:24 56:15 57:8 | course 14:1 16:8 |
| claims 14:12 | committee 1:2 2:3 | 68:20 71:18 76:4 | 80:25 | 17:3 20:24 71:12 |
| clarification 80:8 | 2:4,5,6,7,8 20:17 | concerned 5:4 61:2 | continued 13:9 | Court 82:5,18 |
| clarify $20: 8,9,15$ | 20:21 23:15 24:20 | 78:12 79:19 | continuing 53:13 | cover 68:2 |
| classroom 22:7,22 | 27:9,11,15,17,20 | concerning 71:15 | contract 15:12 | coverage 57:4,9 |
| classrooms 11:7 | 28:9,22 30:23 | concerns 26:9 62:4 | 22:17 31:6 32:13 | covered 37:6 |
| clause 32:13 | 34:4,13 37:18,19 | concluded 81:11 | 33:11 | covering 33:6 |
| clear 15:15 24:8,12 | 37:20 38:6 46:14 | conclusion 12:1 | contracted 33:12 | covers 41:6 55:3 |
| close 16:16 21:13 | 63:24 66:6 76:15 | condition 15:3 | 33:18 | COVID 71:25 |
| 44:17,24 47:20 | 77:15 78:4,9 | conducting 28:23 | contracting 49:18 | CPA 44:6 |
| closed 36:12 43:19 | 80:19 | cone 5:23 50:2 | contractor 8:21 | crazy 39:7 |
| closeout 36:11,16 | Committee's 27:7 | conference 48:20 | 14:17 16:7 17:14 | created 23:17 |
| 43:23,24 44:24 | 30:20 | conferences 48:17 | 18:19 21:5,8,13 | 39:11 |
| 45:9 57:20 | communication | 49:2,3 | 22:3,15 33:1 | creates 16:6 44:11 |
| closeouts 44:7 | 54:16,20 77:16 | confirmed 67:13 | contractor's 15:1 | 74:24 |
| closing 21:6 | Communication's | confirming 30:7 | contractors 9:10 | credits 32:16 |
| closure 44:12 | 54:23 | conflict 16:6 | 10:3 21:11 45:4 | critical 72:24 |
| code 7:7,10,12 16:3 | communications | connect 54:8 | 47:9,12,14 | critters 14:21 |
| 16:4,6 17:2,2 | 55:11 56:23 57:2 | connected 82:12 | contracts 32:10 | cross- 49:15 |
| codified 77:21 | community 42:2 | consideration | 49:16 | culminated 55:14 |
| colleague 30:15 | 43:11 50:10 55:24 | 72:14 | control 25:6,22 | cumulative 19:15 |
| Color 3:4 34:15 | 56:10 | Considering 40:16 | 26:1 36:6 | curious 10:23 |
| come 6:1 16:11 | companies 32:11 | consistent 62:21 | controlling 61:9 | currently 15:10 |
| 26:1 32:11,14 | 47:10,17 | constraint 49:20,20 | Coral 37:12 | 28:12 |
| 42:8 44:20 48:19 | company 49:8 | 54:2,4,5 | core 16:2 | customer 51:8 |
| 48:19,21 60:16 | compared 60:12 | constructed 29:14 | corners 7:14 | cut 7:14 |
| 61:14 68:3,7 | compelling 61:20 | construction 2:16 | correct 11:13 37:21 | cuttings 57:20 |
| 74:23 76:5 77:24 | compensation | 9:2 13:12 16:20 | 82:8 |  |
| 78:4 | 32:12 | 29:23 31:19,25 | corrected 18:22 | D |
| comes 41:19 50:2 | complaints 22:14 | 39:8,12 41:2,8 | Cortes 2:4 28:5 | Dade 20:3 |
| 54:9 62:14 77:17 | complete 13:10,21 | 43:23 44:5,6 | 32:20,22 43:18 | damaged 37:10 |
| comfortable 34:7,9 | 13:25 14:5 15:9 | 57:16 59:12,13 | 44:10,21 70:19 | data 51:4 74:1,7,8 |
| coming 11:12 25:17 | 21:17 22:12 29:16 | 60:22 61:10 70:25 | 71:21,24 73:5 | 74:10 |
| 26:17 33:17 43:8 | 45:3 71:16 76:7 | 76:10 | 81:6 | data's 51:8 |
| 43:11 44:18 45:1 | completed 12:23 | consultant 18:8 | cost 36:6 40:6 | date 75:9,11,11 |
| 50:6 | 13:1,5,7 14:10,11 | 25:15 32:6 36:6 | 41:12 61:10,16 | Dated 82:14 |
| comment 6:4 8:22 | 15:12 45:9 50:16 | consultants 18:10 | 80:1 | dates 35:9 74:16,17 |
| 12:4 15:19 41:24 | 55:7,8 61:16 81:8 | 20:1 24:24 32:25 | costs 33:16,16 36:3 | 74:19 |
| comments 7:6 12:5 | completes 54:18 | consulting 10:13 | 42:14,15 69:20 | David 2:25 27:18 |


| 28:7,11,21 29:2 | descoped 14:25 | 12:14 34:21 65:6 | don't 7:12 23:22,23 | employee 82:10,11 |
| :---: | :---: | :---: | :---: | :---: |
| day 7:18 13:8 46:16 | descoping 15:1 | 65:9,13,22 | 41:17 44:12 50:21 | empty 14:19 |
| 51:6,6 62:10 | describe 8:20 18:24 | disability 11:5 | 53:3 54:1 62:6 | encountered 14:9 |
| 82:14 | described 15:13 | disagree 62:6 | 70:5,20,23 75:5 | 73:14 |
| days 51:25 | deserved 8:8 | disagreeing 72:3 | 75:12,16 76:21 | encourage 56:6 |
| deaf 10:22 | design 9:2,24 13:20 | discretion 20:11 | 77:4,11 | encouragement 8:1 |
| deal 21:24 65:3 | 13:22 16:17,19,25 | discuss 5:24 6:2 | dot 27:1 | encumbered 35:14 |
| dealing 73:11 | 18:20 19:9 23:24 | 26:17 39:14 68:15 | Dr 8:10 11:17 | enforce 16:25 |
| December 1:3 | 24:4 25:17 28:20 | 68:18 75:25 | Driftwood 57:2 | engaged 27:5 |
| 82:14 | 29:23 31:10 32:7 | discussing 26:9 | drill 11:1 | engagement 54:11 |
| decide 15: | 32:25 57:15 60:23 | discussion 4:9 66:3 | driven 22:9 | engineers 24:7 |
| decommissioned | design-related 32:7 | 69:15 | driving 76:13 | 67:16 |
| 22:20 | 32:15 | display 74:12 | due 18:8 33:14 | ensuring 67:18 |
| dedicated 51:7 | destructive 30:8 | district 5:1 6:7 9:21 | E | $\text { entire } 21: 138: 14$ |
| deeper 61:1 Deerfield 14:15,17 | 64:9 | 18:12,14 20:1 | E 12:10 |  |
| 37:5 | detailed 16:23 | 21:7,9 23:4 24:1 | earlier 55:3 62:14 | equally $62: 15$ |
| defer 26:12 | 35:5 58:7,10 | 30:5 31:24 33:6 | 63:10 64:3 | equipment 16:12 |
| deferred 16:8 | 64:12,21 69:18 | 34:5,13 35:24 | early 39:4 | Eric 2:24 30:15 |
| delay 21:5,6 43:23 | details 8:20 9:4,9 | 36:15 38:23 39:3 | easier 59:13 | error 18:19,20 19:9 |
| 63:20 | 9:15,20,20,25 | 40:5 41:13 52:16 | easily 70:1 | errors 18:8,16,18 |
| delayed 15:6,11 | 10:1,4,5 15:25 | 54:9 56:23 58:6 | eBuilder 7:19 | 18:23 19:19 20:6 |
| delays 4:25 14:9 | 36:12 | 58:16,20 59:18 | 23: | 20:13,15 |
| 21:25 32:7,15,25 | deteriorated 22:23 | 61:20 69:15,21 | Economic 2:20 | Erum 2:10 |
| 39:8,12 42:4 59:8 | deterioration 14:24 | 70:2 73:19 79:4 | 45:18 | escalation 42:15 |
| 60:11 72:2,18 | determination 79:9 | District's 26:25 | effective 58 | 59:24 |
| delegation 60:7 | determine 80:24 | 36:5 39:10 | efficient 36:17 40:5 | especially 73:18 |
| delta 41:8 42:12 | develop 27:16 70:1 | districts 13:15,16 | effort 4:14 58:6 | ESRAP 30:4 |
| DemandStar 54:13 | developed 16:19 | 19:24 50:9 | 64:10 77:17 | essentially 31:20 |
| 54:15 | 17:14 69:9 | disturbed 11:13 | efforts 18:9 34:18 | establish 19:25 |
| demolitions 37:13 | developing 28:25 | disturbing 10:25 | EFP 36:21 | 20:2 32:1 |
| Demopoulous 2:8 | development 2:20 | Diversity 2:20 | eight 19:11,14 35:1 | establishing 27:12 |
| 37:15 38:1,5,12 | 17:7 45:18 | 30:24 45:19 | 53:12 74:4 | 31:20 |
| 38:21 40:7,15 | difference 19:1 | DOB 21:2,23 | either 35:12 | ethnicity 52:22 |
| 66:24 67:2 68:16 | 26:1 | document 63:16 | electrical 13:1 55:7 | 53:23 |
| 73:21 75:7,18 | different 18:17,22 | documenting 55:12 | element 18:20 | evaluation 24:22 |
| 76:24 80:8 | 39:18 52:19 61:5 | 55:13 | Elementary 10:21 | evening 45:17 |
| department 2:11 | difficulties 73:14 | documents 28:20 | 14:17 37:5 39:20 | 54:21 76:1 |
| 10:11 15:14 21:15 | digital 56:9 | 28:20 29:12,17 | 57:5 | event 57:7 73:16 |
| 24:8,23 25:1,14 | diminished 60:12 | doing 23:1 25:17 | elements 23:2 | events 57:12,18,20 |
| 25:16 73:23,23 | Dir./Capital 2:11 | 45:20 48:5,7,17 | 25:18 30:2 31:4 | 57:22 |
| depending 19:13 | direction 19:20 | 50:20 51:2,7,16 | eliminate 4:22 | eventually 39:17 |
| 46:16 64:21 | directional 47:13 | 58:15 63:8 72:24 | Ely 3:3 13:3 20:23 | everybody 7:11 |
| depends 18:17 | 48 | dollar 35:19 50:13 | 3:14 73: | 34:19 63:18 73:8 |
| 44:23 | directionally 46:11 | dollars 18:3 39:22 | email 51: | 79:10 81:8 |
| depth 6:2 | 53:4 | 41:21 42:12 47:3 | emergency 79:12 | everybody's 63:8 |
| Deputy 2:9 6:9,16 | director 2:12,15,22 | 53:17 69:24 | emphasize 55:6 | Everyone's 63:21 |


| evidence 7:4 | fall 58:24 | firm 44:6 | 61:22 67:19 69:16 | 23:21 42:6 69:19 |
| :---: | :---: | :---: | :---: | :---: |
| evolved 29:1 30:12 | familiar 51:3 | firms 32:6 46:2,21 | 74:12 80:25 | 71:8 |
| exactly 19:6 71:24 | far 27:1,14 28:9 | first 3:8 5:5 6:4 | found 6:12 | gives 15:25 |
| Examiner 2:19 | 56:17,24 64:18 | 13:7 20:23 25:24 | four 11:6,10,19 | giving 8:23 44:1 |
| example 14:16 | favor 3:20 4:6 | 29:19 35:16 37:17 | 21:16 35:12,22 | glad 4:19,20 61:23 |
| 18:18 39:16 42:20 | feasible $36: 8$ | 37:20 45:25 47:7 | 59:18 61:8 68:20 | 69:3 |
| 69:19,20 | featured 55:21 | 51:15 58:5,15 | 72:16 78:11 | Glades 37:12 |
| exceeded 41:18 | February 6:14 | 59:2,22 67:5 | four-hour 6:21 | go 7:5 10:2 13:7 |
| excess 69:21 | feel 38:6 77:16 | 69:16 70:2 72:1 | Friday 6:21 | 19:2 25:4 31:6 |
| excited 56:14 57:6 | fellow 76:15 | five 7:5 19:11 35:1 | front 28:16 65:20 | 36:13 37:16 38:12 |
| executive 2:15,22 | female 45:22 46:23 | 35:1,2,3,10,11,17 | full 42:1 | 40:15,17 42:6 |
| 65:6,9 | 53:19 | 35:19 36:22 38:23 | fully $13: 25$ | 43:15 47:1,24 |
| exist 7:22 | females 46:24 47:5 | 46:21,23 47:8,14 | fun $4: 8$ | 51:18 54:12 59:2 |
| exists 5:17 | fewer 60:3 | 48:18 49:4,6 76:3 | function 27:13 | 61:1 68:16 69:6 |
| expanded 10:13 | FFNE 37:3 | 76:5 | functioning 16:13 | 73:5 74:2 76:3,11 |
| expect $23: 8,18$ | field 15:16 55: | fixed 71:2 | fund 44:20 | goal 46:11 52:14 |
| expectation 61:12 | Fifty 53:20 | flagged 59:5,8 | funded 37:10 | goals 53:25 |
| expectations 68:25 | Figure 59:3,23 | flash 31:17 | funding 35:23 36:2 | goes 7:3 65:25 |
| expected 78:15 | figuring 58:17 | flattening 59:11 | 37:3 38:11 67:18 | going 7:12 9:14,16 |
| expects 20:1 | files 46:3 | flaw 42:13 | funds 2:25 18:9 | 10:4 12:11 14:2 |
| expedite 11:17 | filled 68:15 | flawed 38:24 | 35:7,13 36:13,25 | 24:8,14 33:25 |
| expenditures 35:16 | filmed 74:5 | flaws 40:1 | 38:11 40:17 41:14 | 41:12,21 44:16 |
| 35:20 43:19 45:13 | final 4:18 26:3 | FLCC 32:13 | further 4:23 12:4 | 48:20 52:1,3,5 |
| experienced 21:25 | 45:13 61:18 | fleas 14:21 | 40:19 82:9 | 55:18 57:11 58:17 |
| 25:12 | finally $20: 15$ 36:19 | Florida 19:24 82: | future 28:1 48:10 | 58:18,18 60:24 |
| explaining 29:8 | 50:1 51:9 60:6 | flow 43:24 44:10 | 74:15,17 | 61:9,15,16,22 |
| exposure 4:20 | finals 45:4 | flyer 56:9 | G | 62:4,8 64:6 66:9 |
| expressed 60:16 | finance 33:24 36:5 | focus 24:3 52:12 | G | 70:21,24 73:1 |
| extent 77:1 79:8 | 36:11 40:12 48:12 | 58:20 73:7 | gap 53:9 | 74:12 75:3 76:3 |
| extra 23:1 52:18 | financial 2:10 | focused 12:18 | Garth 2:18 43:7 | 77:23 78:1,21 |
| 54:16 | 23:12 36:12 43:24 | 31:12 52:20 | 50:1 54:21,22 | 80:6 |
| F | 44:10,12 45:9,10 | focusing 13:23 | gear 13:4 | good 22:6 45:17 |
|  | financially 36:8 | folks 15:8 16:3 38:6 |  | 54:21 58:16 60:9 |
| face 40:10 | 43:19 82:13 | follow 7:12 54:8,14 | gender 52:22 | 61:6,20 64:9 |
| facilitate 77:15 | find 14:23 25:2 | follow-up 43:13 | gentleman's 65:3 | 65:12 68:21 70:13 |
| Facilitator 2:2 | 56:11 75:10 | following 3:17:15 | germane 7:6 | 70:18 71:1 73:1 |
| facilities 2:24 6:11 | finding 21:11 | forecast 44:11 | getting 18:14 50:25 | 75:7,13 78:6 |
| 6:17 12:9 16:21 | fine 5:17 | forgive 3:10 40:7 | 52:4 59:12 64:2 | grace 48:15 |
| 28:18 29:10 30:23 | finish 8:2,4 23:2 | forgot 25:7 50:24 | 64:11,18 66:10 | gracious 8:12 |
| 33:22 34:2 36:16 | 31:10 76:14 | formal 78:5 | 71:7 76:18 | grand 4:9 5:8 7:23 |
| facility 15:3 | finished 34:6 | forth $24: 9$ | give 8:7 15:20 | 8:17 10:18 12:3,6 |
| fact 23:14 31:18 | fire 6:24 7:1 11:1 | forths 23:22 | 21:20 23:9 28:6 | 39:9 |
| 48:3 59:15 61:15 | 11:15 14:1,2 | forty- 35:18 | 40:21,21 45:20 | graph 59:4 |
| failure 76:17 | 15:14 17:4 26:21 | forum 74:25 75:5 | 48:15 50:7,12 | great 4:8 15:17 |
| fair 26:11 63:9 | 73:23 78:12,18,24 | forward 6:1 8:14 | 66:5 68:2 69:19 | 21:24 34:16 42:19 |
| fairly 38:22 62:21 | 79:2,5,5,10,18,20 | 8:15 24:1 31:2 | 71:14 | 43:21 64:9,16 |
| fairness 62:2 | 80:12,14 | 32:2,11,14 61:9 | given 7:11 21:24 | 73:22 |

greater 6:2 46:19
46:20 49:14 50:15
60:3
grips 61:14
groundbreaking 57:5,18
groundbreakings 57:17
group 3:21 4:7
14:12 26:17
grow 50:11
Guard 3:4
Guards 34:15
guerrilla 52:3
guess 14:19 27:20
34:12 38:12
guidance 20:12
guide 28:19
guys $72: 21$
H
half 42:12 72:20
hand 25:8
handful 58:24
handing 58:10
happen 10:7 77:23
happened 55:21 66:25 71:13
happening 9:17
55:10 57:22
happens 19:3,9 72:2
happy 28:12 33:20 54:25 57:25 67:15 81:9
hard 11:7,20,23 17:10 47:12
hasn't 5:14
hazard 66:22
he's 63:20,24
hear 3:16 4:1 28:16 29:3 70:23
heard 9:3 10:25,25 29:25 55:3 63:1 67:6 79:2
hearing 11:7,20,23 12:7 29:5 66:15

74:15 78:2 81:2
heavy 65:17
held 3:1 24:12 34:5
Hello 45:17
help 5:1 9:6,14
16:11 23:18 25:19
28:10 42:6 50:16
50:17 56:16,16
69:23 80:24
helpful 62:15
helping 56:19
helps 69:2
herding 63:18
here's 48:3
Hey 74:2
high 17:13 21:23 33:18 34:14 41:9
49:21 60:1
higher 5:1 13:15
44:11 50:13,14
highest 13:12
highlight $72: 25$
highlights 54:25
Hillberg 2:5 4:11
5:16 6:5 8:17
9:12 10:9,16 12:1
12:5 24:21 31:3
34:3,7,10 66:20
66:23 68:9,12
73:4 76:2,21,23
77:3,8,20 78:6,11
78:20 79:1,15,19
79:24 80:11,24
hip 7:18
Hispanic 53:20,22
Hispanic-owned 46:22
Hispanics 53:13
historic 14:18
historically 42:22 62:25
histories 71:9
history 9:1 13:13
hit 58:18
hold 24:16
holding 67:16
holidays 81:9
hope 30:13 68:13
76:10
hopeful 6:12
hopefully 42:21
50:11
horn 80:9
horrible 63:6
hours 41:15
house 72:6
huge 40:9,10
human 19:9 25:4
hundred 35:1,2,10
35:12,14,17,21,25
39:22 45:13 71:16
78:14
HVAC 13:1 55:6 72:16

I'll 69.2
idea 28:1 30:25
31:15 72:19 75:13
ideally 24:23
identified 35:24 36:3
identify $4: 21$
immediate 11:14
impact 14:10 40:2
implemented 66:9
implementing 17:15
important 20:18
39:14 43:1 63:23
importantly 19:1
improve 4:15 23:11
improvement
23:16 24:2
improvements 13:1 13:2 18:15 55:6,7 65:10
inception 60:19
include 27:16 30:2
38:11 56:8 66:1 included 16:13,14 36:10 39:21 44:14 48:22 56:17
including 10:21

28:20 39:10 55:6
incorporate 30:16 64:15
incorrectly 3:10
increase 32:13 35:6 35:19 40:10 45:21 47:6 50:8
increased 34:24
increases 33:15 40:19
increasing 52:11
incredible 70:22
indicated 24:6 25:15
individual 9:13 56:1,6
industry 19:4,10,10
infinite 25:6
inflation 42:14
inflation's 39:7
inflationary 40:2
informal 5:17
information 17:21
18:5 29:16 43:15 65:25
informed 56:12
infrastructure 37:7
infuse 36:2
initial 30:12 38:15 38:24 40:1
initially 37:22
initiatives 55:19 56:22
input 30:25 77:11 77:24
inquiry 30:3
inserted 21:19
inspection 4:18 21:7,10,12 30:3 37:6,9 79:2
inspections 10:15 21:9
inspector 4:16,16 7:3,5 8:23
inspectors 15:16 16:11,14,24 21:17 install 18:21
installed 18:20
79:25
instructions 7:11
instruments 37:11
intend 29:9,18
intended 29:13
43:9
interest 27:15 interested 62:19
82:13
interim 30:14
internal 2:25 39:11
44:9
interpretation
16:18
interpretations
16:3,5
interrupt 28:21
interview 29:20
interviewing 6:12
interviews 28:23
invite 48:18
inviting 52:7
involved 29:24
40:11
issue 4:11 53:1
66:16 72:15 75:17
80:18
issues 5:2 15:15
16:9 22:1,18
31:17 38:17 58:7
58:24 74:18
it'll 8:4 43:12 45:6
it's 6:21 7:4 8:19
8:20,23 16:17,22
16:22 18:20 20:3
20:25 22:23 25:4
33:1 36:21 38:4
38:10 39:21 40:9
40:12,15 41:12
42:4,8 43:20,21
44:8,8,16,24
45:11 47:21 49:20
51:24 54:3,15
59:12 62:8 63:2,9
63:18 64:16,19
66:9,9 68:9 69:22

| 69:22 72:7,7,12 | 79:12 | lane 26:21,22 | 45:23 46:20 52:18 | 5:13 16:9 |
| :---: | :---: | :---: | :---: | :---: |
| 73:17,25 74:9,23 | kinds 14:21 61:7 | Langan 2:16 7:17 | 52:19 64:2 | major 48:14 71:17 |
| 79:11,20,20 | knew 65:17 | 9:14,19 12:12,13 | local 46:9,17 52:12 | making 22:10 |
| item 4:11 7:3 18:6 | know 5:12 8:4,19 | 12:14 25:11 26:10 | 52:14,21 56:24,25 | manage 42:24 |
| items 5:4,5 16:16 | 9:10 10:5,6 11:1 | 31:2,4 69:6,8,13 | 57:9 | 59:13 |
| 21:16 24:25 30:9 | 14:4,13 16:21 | 78:19,20,23 79:8 | lockstep 7:17 | management $2: 17$ |
| 67:17 68:13 72:22 | 17:13 18:21 19:8 | 79:16,22 80:6,23 | logic 51:17 | 5:1,1,23 9:2 54:22 |
|  | 20:19,25 22:8 | large 45:2 58:2 | long 19:6 26:8 | 65:12 |
| J | 23:6,10,25 24:3 | largest 50:15 | 36:23 44:873:13 | manager 6:22 |
| Jabouin 2:23 25:9 | 25:24,24 26:3 | Latha 2:7 | long-range 41:19 | 28:24 |
| 25:9 26:23,24,24 | 31:22 32:15 33:13 | launched 51:9 | longer 40:22 61:15 | March 74:20 75:9 |
| 27:25 28:7,11,21 | 33:16,19 34:15 | 55:19 | 64:25 67:5 | Margate 57:4,7 |
| 30:14,22 | 35:8 36:1,19 | launching 50:8 | look 8:14 13:14 | market 33:14 52:4 |
| January 6:14,14,15 | 37:11 40:17 41:11 | lawyer 54:16 | 19:16 20:4 25:2,4 | marketability 50:9 |
| 66:17 | 41:25 42:7,7 43:4 | leadership 8:11 | 26:3 29:9 36:23 | marketing 50:3 |
| Jay 42:12 | 43:12,14,20 44:7 | 10:11 11:14 | 38:25 39:3,25 | Markham 39:20 |
| Jeff 2:11 65:22 | 44:25 45:1,2 | leave $8: 3$ 26:19 | 46:17 47:7,11 | marshal 15:14 17:4 |
| Jim 68:16 | 47:17 48:7 50:2 | led 10:14 | 57:8 58:17 59:2,3 | 78:24 79:18 |
| jobs 42:8,11 71:5,6 | 51:16 52:15,17 | left 13:20,22 24:5 | 59:22 64:8,13 | Marte 2:9 5:21,22 |
| joined 7:17 | 56:1 61:13 62:12 | 76:7 | 69:18,23 77:4 | 6:6,8 9:11,13,19 |
| Joris 2:23 25:9 | 63:17 64:5,20,22 | legitimizes 59:10 | looked 4:14 16:1 | 10:10,17 11:6,21 |
| 26:24 28:15 | 66:17,24 67:11,23 | letter 24:13 52:6 | 60:13,20,21 61:4 | 11:23 12:11,13 |
| Jose 2:4 | 69:9,21,25 70:12 | level 17:16,19 33:5 | 66:17 | 15:13 16:10 17:3 |
| journey 39:1 | 70:19 71:1,4,7,13 | 60:1 | looking 22:14,15 | 20:19 24:6 25:15 |
| Judith 2:9 6:8 | 71:17,21,25 72:1 | levels 17:8,11 18:17 | 32:18 38:1 52:19 | 26:6,12,13 38:19 |
| July 13:25 | 72:2,3,5,7,9,10,16 | 18:22 59:19 60:11 | 60:14 62:20,22 | 38:22 40:9,20 |
| jumped 60:21 | 73:7,12,13,16,18 | liaison 34:12 54:23 | 72:19 77:2 | 42:10 43:13,21 |
| Junior 3:4 | 74:2,3,6,6,22 75:8 | 63:24 | looks 60:25 | 44:14 45:6 62:16 |
| jury 4:9 5:8 7:23 | 76:9 77:1,25 80:3 | license 37:9 | lose 50:21 | 62:18 63:13 64:25 |
| 8:18 10:18 12:3,6 | 80:5,17 | life 53:11 | lost 50:23 51:1 | 65:5 68:24 70:7 |
| 39:9 | knowing 8:3 11:1 | lifting 65:17 | lot 5:3 8:18 16:15 | 74:8 76:22 77:6 |
| K | knows 58:3 63:14 | likewise 49:7 | 17:8 19:18 23:23 | 77:19,21 78:7 |
|  | Krishnaiyer 2:7 | limited 58:12 | 41:1 52:10 55:10 | 81:9 |
| $\begin{aligned} & \text { hleen } 2: 16 \\ & 248: 39: 18 \end{aligned}$ | 10:17 11:19,22,25 | limits 60:8 | 55:13,20 57:12 | material 39:8 66:8 |
| $\begin{aligned} & 7: 248: 39: 18 \\ & 12: 1341: 442: 23 \end{aligned}$ | 30:19 31:1 40:16 | line 27:6,10,18 | 64:9,10 67:7 | materialize 44:20 |
| 12.1341 .442 | 41:24 43:6,10,17 | 76:14 | 70:24 76:9,10 | materials 9:22 |
| Kayla 82.5,18 | 62:7 68:5 69:5,11 | lines 22:2 | love 6:15 73:25 | Matthew 2:22 |
| Kayla 82:5,18 | 70:5,8,11,15 73:6 | link 54:15 56:17 | loved 65:14 | McArthur 33:17 |
| кеер 14:5 56:12 | 74:21 75:1,6,22 | list 4:12 14:7 24:25 | lowest 40:2 | mean 20:5 38:15 |
| keeps 43: 7,10 kept 42:18 | 76:19 77:7 81:4 | 35:5 42:5,9 52:1 | M | 44:24 80:14 |
| key 38:16 57:13 | L |  | ma'am 11:21 | Meaning 47:16 means 20.6 |
| 67:3 | labeled 77:1 | literally 41:15 | main 68:19 | measure 74:12 |
| kids 55:18 | lack 38:17 | 51:24 54:11,15 | maintain 5:11 | measuring 33:13 |
| kind 8:24 15:6 | lagniappe 52:18 | little 12:17 18:3 | maintaining 61:10 | media 13:5 20:24 |
| 25:23 31:18 33:2 | Laitha 68:4 | 22:8 24:14 27:21 | 68:21 80:19 | 50:4 54:11 55:8 |
| 48:1 76:12 77:25 | landing 74:22 | 38:25 43:3 44:1,7 | maintenance 5:10 | 57:3 |

medium 17:16
59:25
meet 6:21 24:6 41:22 48:21 77:22
meeting 1:2 3:1,5,6 4:1,12,13 7:4 10:19 27:9 28:4 42:17 43:14 62:10 62:11,15 66:5 67:5 68:3,13 74:1 75:20,25 78:2,12 81:3,11 82:7
meetings 28:1,2 30:1,16,18 52:8 57:18 58:11 67:11 74:177:10
member 2:3,4,5,6,7 2:8 3:9,17 66:5 70:18
members 29:21,22 66:2,10 76:16
membership 80:20
memo 40:24 41:15
men 53:18,21,22
mention 57:11
mentioned 15:10 23:23 41:25 69:6
mentioning 59:17
message 7:13
met 21:14
method 78:5
Miami-Dade 51:12 51:20
microphone 28:15
Middle 37:4 57:3
milestone 57:19
milestones 57:13
millage 38:11
Miller 2:2 28:15 29:2,4
million 10:20 18:3 21:2 34:25 35:1,3 35:11,15,17,19,22 36:1,21 38:2,9,15 39:4,22 40:25 41:3,5,10,14 45:14,14 46:19,20

47:4,5,15,16,19 47:19 48:3,5 52:3
mind 32:20 34:4
44:1 62:3 70:20
minimize $44: 16$ 63:4,6,7 64:1
minimum 24:5 49:12
minor 80:2
minus 54:4
minute 4:17 78:16 minutes 3:25 4:2 4:13 8:5
missed 25:5
missing 26:20
mission 77:14
mobilize 57:16
modifications 29:12
modified 45:19
modify $63: 4,6,6$
money 18:13 31:22
40:6,19 41:17,23
60:17 61:1,2,3 80:4
monitor 36:15
monitoring 6:8 32:10
months 55:3
motion 3:16 4:1 81:3
Motiwala 2:10
move 6:1 7:25 8:15
12:7 21:21 31:2 33:24 54:20 74:15
moved 3:18 4:3 17:16 40:4 81:4
moves 24:1
moving 15:7 23:3 23:20 32:1 45:16 46:12 67:18
multiple 4:17
municipal 56:18
municipalities 56:15
music 37:11

## 

name 3:9 34:20
narrative 19:22
National 2:16
nature 25:4
Nave 2:13 34:4,9
58:3 62:1,6 65:2
66:14
necessarily 5:18
need 5:7,16,18 8:13
9:8 10:24 25:5 43:24 48:8 63:3
64:1 68:1 69:7 70:5 74:25 76:13 77:18
needed 29:16 39:5 needs 29:10 30:12 41:20,22 76:6,8
neglected 68:14
never 9:3,17 79:2
new 3:9,17 10:10
16:20 20:24 22:6
25:3 33:15, 16
36:11,20 37:12,20
38:22 39:18 41:25
42:3,10 45:10
46:6 48:24 49:25
57:3 61:14 70:17
news 22:6
newspapers 56:24
nice 20:25 67:4
nine 35:12,17 74:4
ninety-one 35:22 36:1
noisy 71:9
normal 31:23 54:14
Northeast 21:22,23
Northeast's 39:16
notating 30:7
note 14:8 18:23
21:4 31:18 79:18
noted 14:3 17:6 18:2 21:5 23:15
23:25 31:16,17 32:4
notes 4:25 67:12

69:3 82:8
notice 50:24
noticed 4:18
notification 56:5
notifying 50:20
noting 13:11
number 13:12 18:6
23:22 24:24 25:19
37:8 39:15,24
40:3 45:2 47:6,20
48:15,23 53:3
59:7,25 71:18
74:4 77:9 78:3,11
numbers 37:16
48:11 71:16 76:11
0
observation 30:3
obstacle 48:10
obtain 29:18
obtaining 30:10 obviously 3:15 21:1
26:9 72:22 76:5
occasions 77:10
occupancy $12: 23$
occupational 66:21
occupied 16:21
occurred 20:14
occurring 5:6
occurs 73:9
OCP 12:15
October 13:10 15:9
office 27:4,4 29:22
54:10,10
officer 2:10,20 6:11
6:17 45:18
official 6:24,24 7:1
11:15 17:3 57:18
official's 26:21,22
oh 25:4,7 32:18, 21
69:13
okay 4:12 10:9,16
11:22 17:22 20:23
21:21 23:3 26:11
27:25 31:13 33:22
34:4,10,20 47:7
58:1 68:12 70:8

75:14,18 77:8
78:6,15 79:1,15
80:16
old 80:17
older 73:10
oldest 73:19
Omar 2:12 34:20
37:21
omissions 18:8,16 18:18 19:20 20:6
20:13,16
once 7:7
one's 75:23
open 21:6,11
operational 13:25
Operations 6:9,16
opinion 44:3
opportunities 57:9
opportunity 56:8
order 3:6,8,25 16:7
69:22 72:16
ordered 5:14
orders 7:19,22
17:22,24,25 18:8
18:25 19:3 22:13
22:16 23:7 33:1
33:14 35:21 60:8
67:11,12 69:21
70:12 73:24
organizations
19:10
original 29:13 38:2
39:16 42:5,5,9
Otiniano 2:3 3:10
3:11,11,12,23
outlay 37:23
outlet 36:20
outline 42:18
outside 10:8,13
over-extending 72:9
overall 22:12 33:5 52:14
oversight 1:2 20:16
20:21 27:11,15,20
67:6 77:15
owned 47:10

| P | 53:1,10,13,13,16 | pleased 23:17 61:6 | pretty 10:24 58:16 | programs 6:25 |
| :---: | :---: | :---: | :---: | :---: |
| p.m 1:4 81:12 | 53:17,20,21,23,24 | Pledge 3:2 | 59:24 75:15 | 13:17 29:22 |
| pace 76:6,8 | 69:12 | PMIS 23:11 | previous 32:5 | progress 22:10 |
| package 56:9 | percentage 69:1 | point 6:10 13:2 | 35:20 67:12 | 55:13 70:23 76:9 |
| pad 50:8 | 72:20 | 22:23 24:4 26: | primary 15:22,2 | project 9:1 13:9 |
| page 14:3 15:18,18 | perception 42:4 | 33:8 35:1,2,11,12 | prime 48:21,21 | 15:6 17:19 31:20 |
| 35:3,6,18 36:10 | 61:19 | 35:15,17,19,22 | 49:20 | 35:5,24 38:14 |
| 38:25 56:1,7,11 | performed 12:22 | 38:13 39:6 41:18 | principal $34: 14,15$ | 42:2 44:19,23 |
| 59:4,23 | 30:7,9 | 42:16 43:2 58:23 | principals 28:24 | 45:8 46:20 50:5 |
| pages 55:25 56:2 | performing 22:24 | 65:23 69:15 71:20 | 29:20 | 50:16,17 60:20 |
| 56:18 | 28:13 31:12 | 74:11 80:14 | prior 30:1 67:22 | projects 12:15 13:6 |
| paid 18:10 | period 49:16 52:21 | pointed 52:25 | priorities 37:2 | 13:11,18,19,21 |
| Palm 51:11 | 55:2 | 71:11 | prioritize 41:21 | 14:14 15:10,12 |
| pandemic 71 | Perla | points 28:3 68: | probably 19:1 | 16:1,20 17:9,12 |
| papers 56:25 57:9 | permit 24:13,21 | policy 7:20 9:8 | 21:16 28:10 39:22 | 23:24 29:1,9,24 |
| paperwork 23:8 | permitting 72:23 | 19:19,24,25 20:9 | 43:16 75:13 | 30:11 31:21 36:13 |
| 50:22 51:19 | person 48:13 54:12 | 20:11,22 23:6 | problem 14:20 58:9 | 39:4 40:18 41:4,7 |
| ParentLink 55:23 | 63:24 | 69:6,9,14 70:1 | 74:24 75:3,10,17 | 42:1,3 45:3,13 |
| parents 43:11 | personal 73:9 | 72:20 | procedures 28:13 | 49:12 57:14,21 |
| Parkway 37:4 | Peters 10:21 11 | political 48: | proceed 27:1 | 59:5,8,14,15,19 |
| part 31:5,23,25 | phase 13:20 32:7 | portable 37:13 | process 4:15 7:15 | 59:25 60:3 61:15 |
| 32:22 42:24 54:22 | Philips 11:17 | portion 21:2 40:2 | 8:18,19 10:3 | 65:19 70:25 76:5 |
| 63:15 66:7 69:13 | phone 7:18 27:1 | positive 70:15 | 23:19 25:6 28: | 76:7,8,14 |
| particular 56:20 | phonetic 11:16 | 73:22 | 29:8 36:16,17 | promised 41:11 |
| 57:14 | photo 55:12 | positivity 71:11 | 38:23 44:9 54:14 | 42:25 |
| parties 82:11 | physical 80:1 | possible 30:25 | 67:21,22 72:23 | promote 56:19 |
| parties' 82:12 | pick 76:6 | 36:17 | processes 7:2,16 | prompting 54:12 |
| partner 65:19 | picture 76 | PPO 21:18 65:7,13 | 31:8 | pronounce 3:9 |
| pass 19:19 | piece | 65:18 | processing 15:2 | proper 67:18 |
| passed 67:15 | piggyback 51:21 | practice 31:2 | procurement 11:18 | property 14:19 |
| pause 34:1 | pilot 37:7 | practices 39:1 | 54:14 | 74:5 |
| pay 21:9 | place 4:15 5:3,9 | pre- 52:7 | production 63:12 | proposed 74:15,17 |
| paying 18:13 69:25 | 7:16,24 35:21 | pre-bid 48:17,19 | professionals 29:23 | 74:19 |
| payments 41:2 | 58:15 61:20 65:13 | 49:2,3 | program 5:17 6:8 | protect 5:20 |
| penalties 32:6 | places 4:21 72:10 | pre-qualified 52:2 | 6:22 8:13 10:12 | proved 71:11 |
| penny 41:17 | plan 5:10,13,25 | preliminary 74:10 | 12:14,18 13:13 | provide 9:4 19:20 |
| people 31:11 37:18 | 17:14,15,15 36:20 | prepared 27:23 | 15:9 17:19 19:15 | 20:12 29:16 36:18 |
| 42:7,7 51:7 63:21 | 36:24 41:19 65:12 | preponderance | 23:13,17 24:2 | 64:9,14,22 |
| 68:13,22 72:6 | planning 5:12 | 42:11 | 28:24 30:18 31:7 | provided 4:24 8:21 |
| 75:3,4 77:4 79:11 | plans 2:19 9:9,15 | prequalified 46:18 | 31:10,24 33:11 | 10:1 17:24 18:4 |
| percent 13:19,20 | 36:23 | present 32:8 70:10 | 34:24 35:23 36:2 | provides 30:13 |
| 19:11,13,14,16 | playground 37:4 | 77:17 | 36:8,14,25 37:7 | 36:12 |
| 20:4,5,7 33:6,10 | pleasant 58:25 | presentation 45:19 | 37:12 39:13,21 | public 6:25 38:8 |
| 33:11 41:6,9 46:6 | please 29:4 31:3 | 45:23 | 40:11 41:11 42:22 | 44:4 51:11,12,14 |
| 46:8,11,12 47:3 | 46:13 48:19 49:10 | presentations 12:8 | 53:12 54:22,24 | 58:12 75:21,24 |
| 48:2 49:12,13,17 | 55:14 56:5 69:23 | $34: 6$ | $56: 1165: 1,20$ | $\begin{aligned} & 77: 9,10,16,24 \\ & 78 \cdot 2 \end{aligned}$ |


| publication 57:7 | quickly 73:21 76:3 | reasons 15:21 16:2 | relations 68:22 | request 30:21 |
| :---: | :---: | :---: | :---: | :---: |
| publicity 56:23 | quite 17:1 20:25 | ,754:2 | relative 82:10,11 | requested 78:24 |
| publicly 65:6 | 39:22 55:4 57:22 | re | relentless 63:25 | required 5:10 10:3 |
| pulling 30 | quiz 8:24 | 53:22 | relying 11:11 | 31 |
| pun 43:9 |  | 56 | remain 5:7 | requirement 79:4 |
| Purchase 35:21 | R | re | remaining 33:12 | research 2:13 19:18 |
| purpose 58:12 | R 2: | recess 75:19 | 57:15 | resend 76:22 |
| purposes 66:4 | Rabinowitz 2:6 3:3 | reciprocal 51:10 | remember 19:6 | reserve 35:25 36:6 |
| push 63:20,20,21 | 3:12,15,20,22,24 | recognize 5:21 | 47:8 73:16 76:17 | 36:22 40:24 41:3 |
| put 16:1 26:20 | 4:5,8 12:3 24:16 | 79:12 | reminding 15:8 | reserves 33:6 |
| 52:12,18 58:14 | 24:19 26:7,11 | recognizing 52:6 | reminds 25:7 | reset 59:3,6,7,9,11 |
| 62:13 70:4 80:1,4 | 27:22 28:10 33:23 | recommend 19:17 | remiss 40:8 55:5 | 61:14 71:12,13,21 |
| 80:13 | 43:9 45:11,15 | 58:19 | 59:1 | 71:22 72:8 |
| puts 58:7 | 54:19 58:1 61:25 | recommendation | removed 14:22 | resetting 61:12,19 |
| putting 58:9,21 | 62:2,16 63:11 | 15:19 18:6 20:22 | renewal 50:24 | 68:24 |
| 64:12 | 66:12,15,21 68:1 | 24:13 32:3 69:8 | renewals 37:9 | resolution 80:22,23 |
|  | 68:7,10,18 69:1,4 | recommendations | 50:21 | resolutions 17:8 |
| Q | 69:12 70:9,14,17 | 58:8 60:6 62:10 | renovation 16:22 | resolved 26:2 |
| Q4 | 71:10,23 73:2,20 | 62:21,24 66:2 | renovations 19:12 | resources 10:14 |
| quality 25:22 26:1 | 74:14,24 75:2,12 | recommending | repairs 37:4 | respect 26:25 |
| quarter 8:15 12:18 | 75:15,19,23 81:2 | 19:19 69:17 | repeated 60:6 | respected 65:14 |
| 17:6,23 18:1 | 81:5,7 | reconciliation 31:7 | replaced 78:16 | respond 50:24 64:1 |
| 31:17 32:9 33:4 | raise 50:17 58:8 | reconvene 75:20,24 | 80:13 | 78:21 |
| 33:10 34:22,25 | raised 25:8 | record 82:8 | replacement 13:3 | response $23: 21$ |
| 35:16,20 36:19 | ran 57:2,8 | recorded 63:17 | 37:5,10,11 | 64:12 77:9,11 |
| 53:12 55:1,15 | range 36:23 | records 23:13 | replacements 39:19 | 78:4 |
| 56:14 57:1,11 | rare 77:10 | recover 18:9 45:1 | report 4:9 5:8 6:19 | responses 15:19 |
| 59:5,9,10,16 60:1 | rate $60: 14,15,21$ | recovered 36:13 | 7:23 8:18 10:19 | 58:7,22 62:23 |
| 60:2,2,12 61:3 | rated 52:2 | recovery 20:10 | 12:2,6 14:4 22:4 | 64:20,24 66:1,7 |
| 72:1 74:9 76:4 | rates 60:20 | red 80:11 | 31:16 32:4,5,8 | 69:18 77:22 78:9 |
| quarterly 33:3 | re- 13:10 | redesign 59:20 60:4 | 33:10 34:22 35:4 | 78:10 |
| 34:21 35:4 41:1 | re-educating 56:10 | reduce 23:22 25:19 | 35:18 36:10 39:9 | responsibilities |
| quarters 59:18,22 | re-submit 51:23 | reduction $23: 8$ | 41:1 44:22 45:10 | 20:13 |
| question 5:25 10:18 | reached 4:25 | reevaluate 80:18 | 47:18 48:25 53:16 | rest 21:20 |
| 24:19 25:10 27:10 | reactions 80:16 | referral 78:3 | 54:18,25 55:2 | result 33:7 56:12 |
| 27:17,19,20 28:7 | read 4:19 5:5 62:3 | referred 42:13 | 58:8,14,21,23 | results 52:24 |
| 28:8 30:19 40:13 | 62:11 | reflect 56:2 | 59:4,24 61:7,24 | retainage 44:15,18 |
| 43:7,10,21 46:1 | ready 13:7 43:15 | regard 22:1 26:5 | 62:8,13,13,22 | retired 9:14 |
| 62:19 76:15 79:22 | real 14:20 65:17 | 60:10 63:12 | 63:7 64:11,15 | retirement 65:11 |
| questions 14:14 | reality 19:2 | regarding 27:2 | 68:3 71:14 76:16 | returns 4:17 |
| 33:19,23 38:7 | realize 29:15 | regardless 52:21 | 82:6 | review 4:14 5:3 |
| 45:15 47:22 54:19 | really 9:17 23:12 | 53:23 | Reporter 82:1,5,18 | 15:20 18:5 22:13 |
| 57:25 58:1 61:23 | 26:15 32:25 33:3 | regards 45:8 | reporting 20:15 | 24:12 26:2 29:18 |
| 66:12 67:7,14 | 34:13 43:1 44:9 | regularly 30:16 | 49:16 55:2 | reviewing 7:19 |
| 77:12,18 | 45:4 54:25 60:23 | reiterating 55:1 | reports 4:23 8:15 | 28:19 29:11 30:6 |
| quicker 7:25 10:15 | 64:10 69:20 73:21 | related 24:15 32:6 | 21:7 32:5 36:18 | reviews 24:4,11,11 |
| 40:4 | reason 30:20 54:3,4 | 32:12 33:20 | 60:16 | 24:22 25:17,21 |

26:13 58:4 74:4
ribbon 57:19
Rickards 76:16 77:1
right 6:15 13:12 24:10 26:9 27:6 37:23 39:7 43:6 45:12,12,16,17 46:4 48:1 51:8 52:16 63:23 68:9 68:10,19 69:12,22 70:25 72:15 74:25 75:5 79:3 81:7
ring 79:6
rings 79:8
risk 17:8,10,13,16
17:19 33:3,4,6,8
36:4,7 38:24 39:2
41:6,8 42:13
44:11,17,21 45:1
45:5 59:19,19
60:1,3,11 61:12
risks 33:13,14
Road 12:14
Robert 2:13,20 45:18
rock 53:7
rocks 58:2 61:25
roof 5:10,13,22 8:20 10:2
roofing 4:16 8:22 9:23
roofs 5:11 13:4 22:1 55:8
rotating 67:10
rotational 47:21
ROTC 3:4
RSM 23:15 27:5,10
run 56:25 75:3,16
running 13:16
51:24 61:2,2
79:13
runs 75:17 79:10
Ryder 67:13
S

Sabra 2:25 28:12

28:17,23 29:3,6
safety $14: 1$
safety-related 67:17
Sam 2:15 65:4
Sam's 64:23,25
saw 52:24 60:22
71:16 77:14
saying 19:23 72:13
schedule 13:9,19
14:6 15:7,11 22:7
22:8 36:11 59:3,8
59:12,16 61:11,14
63:12 66:18 68:21
71:22 72:8,12
scheduled 15:8 59:7
schedules $72: 11$
school 1:1 4:20 5:9
5:12 11:3 13:8 14:18 15:4 19:5 20:17 21:23 27:6 29:20 33:18 34:14 37:4,6 50:9 52:15 55:17,18,24 56:2 56:6 60:5 65:25 66:2,10,16 67:3 68:23 78:13 79:4 82:7
School's 57:3,5 schools 6:25 10:21

10:24 11:4,6,20
12:22 14:3,7 27:2
30:7 44:9 51:11
51:12,14 55:5,17
56:4,4,20,24
60:10 73:10,11,17 73:19
science 47:13 48:14
scope 4:21 15:1,16
21:1 27:8,12,16
28:5,8,25 29:12
29:13 30:2,11
31:12 39:16,20,23
39:25 42:1,5,16
59:21
scopes 61:11
screaming 79:10 scroll 52:1
SDOP 45:16
second 3:19,24 4:4
4:19 24:17 27:24
37:16,17 48:25
76:15 81:5,6
seconds 51:13,15 51:25
section 34:2 36:11 45:10
security $13: 23$
see 17:23 22:4,9 23:1 25:2,8 34:1 47:4 51:19,22 54:5,9,13 57:12 57:22 61:6 67:15 71:6 73:25 76:9
seeing 20:20 37:23 49:21 59:14
seek 20:9
seemingly $71: 15$
seen 23:5 33:15
sees 59:24
Seiffer 2:24 30:15
selected 74:18
send 52:6 55:23
69:3 77:6 80:22
sent 50:23 77:3 79:3
sentences 40:21 separate $32: 23,24$ 33:1 39:15 43:1
September 33:9 34:22
serves 58:11
service $51: 8$
services $32: 11,16$
set 24:10 35:25 36:25
seven 12:25 13:5 19:14 53:10 55:8 55:11 58:15
severe 14:23
share 28:6 67:2
shared 62:24
sharing 32:23
she's 20:20 75:16
sheet $7: 7$
Shim 2:12 34:11,20
37:25 38:4,10
43:14 45:8,12
62:18 63:14,17
64:2,3,4 75:9,14
77:23 78:10
short 5:25 40:20,23 72:16
Shortly 39:2
show 10:3
shown 35:3,6,18
shows 35:7 59:5
side 80:10
signed 40:24 41:15
significant 6:18
26:18 30:17 31:22
33:15 39:8,11
40:1 41:20 43:23
55:15 61:8 71:6
significantly 39:18
signing 23:7
silence 5:24 50:2
similar 7:10 69:10
single 6:22 13:24
54:11 56:2
$\operatorname{sir} 5: 22$ 6:4 8:16 38:19 40:5,13 41:18 63:1 66:14 77:19
sit 63:4
sitting 20:24 50:4
six 35:15,25 72:17
skid 22:21
skip 67:1
slide 19:2 31:15
32:3,18 33:2,21
36:9 37:17 45:25
46:13 47:1 48:16
49:10,23 50:19
52:9,23 54:7
55:14 56:5,21
slow 7:14
slowed 7:8
small 46:24 48:15
49:19 53:24 64:11

SMART 12:14,18
13:13 16:13,14
19:15 31:24 34:24
35:23 36:7,25
37:12,23 40:23
42:22 43:5 46:19
49:11 54:23 56:10
56:18
social 50:3 54:10
societal 71:2
solely $31: 11$
solicitation 5:23
49:25 50:1 54:9
54:12,13
somebody 6:13
11:12 68:2 75:17
somewhat 60:11
71:19
soon 6:2 74:6
SOPREMA 9:21
sorry 21:21 28:21
29:3,6 46:24
53:21 76:2
sort 64:15
sounded 63:5
source 28:19 29:11
38:5,8 71:17
space 8:12 22:23
speak 6:4 26:8
29:12 50:5
SPEAKER 3:14,18
3:19 4:3,4 5:14
69:2 76:20
special 79:4
specific 14:13
15:25 68:20
specifically 6:20
45:22 74:19
spend 8:13 45:21
46:7,9,10 47:2
48:25 49:1 51:5
60:14,20,21
spending 51:5
spent 8:18 35:13,14 65:7
spike 60:22
spite 70:20
spoke 6:20
spoken 19:5
spotlight 22:5
sprinklers 14:2
Sr 2:19
staff 8:7 11:24 12:8 12:24 19:20 20:12 31:11 34:5,12,18 57:17 58:6 59:13 80:22
stage 63:3
stand-up 7:4 24:11 26:13
standard 9:20 10:5 16:17 19:4,25 24:10
standards 9:24 16:19,25 26:20 30:5
start 3:4,5 12:16 23:12 28:17 29:4 45:8 52:7 55:1
started 13:6 31:8 34:12 37:22 39:3 44:4,25 49:13 59:18 67:3 71:25 74:9
starting 12:8 29:9 57:15 60:23
State 79:3 82:2
statement 65:5
status 13:23 14:1 18:9
stay 56:11 57:23
stayed 33:5
staying 68:20,21
steady 59:24
steer 22:21
step 65:8
steps 4:21 5:18
Steve 2:5 68:10 69:2 70:10 73:3
stickers 80:5
stood 22:10
storage 22:20,22 stories 10:25 56:25 71:19
story 57:8
straight 37:16
Stranahan 22:12
42:20
strategies 25:18
strobe 80:9
strong 8:2
structural 22:1,18
37:6 76:17
stuck 8:25
students 8:7 10:22
10:22 11:4,7,20
11:23 12:24 16:22
stuff 25:5 70:21
72:24 73:1
sub- 49:17
sub-contracting
49:11 53:16 54:1
sub-contractor 48:22 49:1,21,22
sub-contractors 53:15
subject 60:8
submits 54:9
submitted 51:19
substantially 13:10 15:9
success 48:10 71:19
successful 57:7
successfully 80:25
succession 65:12
sudden 27:21
suggestion 62:20 64:17
summarize 77:25 summarized $33: 3$ summer 12:19,22 12:25 13:7 55:3,7 55:8,17,21 56:3
superintendent 2:9 6:9,16 7:20 21:24 23:7 60:7 77:21 supplier 49:15 50:21 51:23 52:21
suppliers 46:16 47:23 48:4,9,18 48:20 49:4,19

50:7,21,23 51:3
52:2,4,12,15,18
53:2,5,18,20
supplying 9:22
support 20:19
25:15 36:18,24
70:4 72:24
supporting 20:21
25:16 29:17
supposed 25:25
78:17
sure 10:6,14 17:10
18:11 24:18 25:23
27:18,22 28:2
32:19 34:3 38:21
42:2 43:3 51:8
52:14 64:14 68:22
75:2 77:23 78:10
surprises 58:25
sweep 45:1
switch 13:4
sworn 76:20
system 11:8 23:11
51:4
systems 48:24
$\frac{\mathbf{T}}{T}$

Tablets 62:1
take 18:21 26:3
31:5 43:13 61:15
64:7,7,13 68:14
69:23 72:14 74:11
79:25
taken 23:3 42:17 43:2 63:2 78:16 80:12
takes 51:12 72:16
talk 12:16 18:7
24:14 48:23 74:11
79:17
talked 47:2,8 67:16
67:21
talking 25:13 26:5
73:2 80:9
Talks 57:7
Tarrau-Ayala 2:19
task 11:15 65:7,9

Taskforce 30:24
taxpayer 68:24
taxpayers 8:8 18:13 61:13 69:24
TaxWatch 2:13 14:4 17:6 31:16 32:4,4 34:1 52:25 53:7 58:4,4 62:24 64:11,24
TaxWatch's 62:20
teachers 8:7 10:22 11:4,8
team 6:25 25:20,22 25:24 26:1 27:14 29:21 36:5 52:25 53:1 54:23 55:12 65:14
team's 17:7
teams 25:21
technical 51:2
technology- 23:9
tell 7:24 28:8 38:16 66:25
ten 14:20 19:13 24:25 46:22 48:4 74:4
tenure 10:7
terms 51:5
testing 30:8
thank 3:3, 12,23 5:22 8:16 9:19 10:16 11:25 12:13 26:13,23,23,24 30:18 31:1 33:23 34:11,14,17,18 43:17 54:20,21 58:6 66:14 68:10 69:1 70:11 74:14 75:18 77:8,8 78:11,20 81:9
Thanks 81:8
that'll $77: 7$
that's 32:23 53:3
there's 15:24 16:15 18:22 23:25 24:4 24:19 26:7,14,16 27:19 45:23 49:25

53:5,9 58:24
63:19 67:18 70:22
70:24 72:2,15
73:1 74:16 76:9
77:24 79:12
they'd 79:2
thing 4:8 5:7 8:17
8:24 26:4 40:14
47:7 60:9,13 64:5
75:25 76:13
things 5:5 7:9,14
7:25 10:6 14:21
17:1,5 23:4 24:3
24:24 25:3,13
32:14 36:24 37:1
37:8 43:1,4 47:20
61:7 67:20 71:2
72:14 73:8,22
76:3 80:21
think 5:7 9:15,16
10:20 13:14 15:18
16:18 19:21 20:18
21:1,10,15,19
23:4,24 25:11,13
25:18 26:4 33:21
39:14 40:8 42:6
44:24 58:1,13,24
59:10,17,23 60:5
61:8,18 62:3 63:1
63:2,2,9 64:1,13
64:16 65:2 67:5
68:5,7,19 70:3,19
70:20,22,24 71:1
71:4,10,14,21
72:19,20 73:12
74:16,17,23 79:9
79:16,22
thinking 64:4
third 7:3 27:1
61:12 77:14
thirteen 35:17
Thirty-three 13:4
thorough 26:15
thought 12:16 39:5 64:8
thoughts 27:13
28:9 70:9

| three 9:2 15:24 | treating 51:21 | understands 18:12 | voted 70:17 | 58:17,18,18 59:14 |
| :---: | :---: | :---: | :---: | :---: |
| 16:5 21:16 26:16 | tremendously | undesirable 80:15 | VP 2:13 | 62:23 63:2,17 |
| 27:1 29:9 35:11 | 25:12 | unique 15:6 |  | 69:17 73:11 75:2 |
| 35:19,21 46:24,24 | trend 53:14 | unit 72:16 | W | 78:1 80:9,19 81:7 |
| 47:9 48:18 49:7 | trending 46:7 | UNKNOWN 3:14 | waiting 50:5 80:21 | we've 8:5 15:15 |
| 59:22 60:10 71:15 | tri-county 51:9 | 3:18,19 4:3,4 5:14 | walk 38:25 46:14 | 17:5,24 18:2,4 |
| 73:7,10,11,17 | trial 66:17,20 | 69:2 76:20 | walkway 37:6 | 21:14 23:21 26:20 |
| 76:6 77:9 | tried 15:23 | unusual 72:12 | walls 22:10 | 30:1,1 33:15 41:1 |
| threshold 20:2,4,11 | trouble 29:5 80:19 | update 21:4 23:9 | want 7:13 8:2 9:4 | 41:18,20 42:22 |
| 20:14 | true 53:3,9 82:8 | 45:20 46:3 55:25 | 15:5 16:14 18:11 | 43:2 47:4,19 49:5 |
| throw 53:7,8 | trust 72:10 | 57:10,24 66:5 | 28:5 37:15 40:21 | 50:23 56:24 58:15 |
| thumb 77:5 | $\boldsymbol{\operatorname { t r y }} 4: 22$ 56:23 | updated 56:2 | 41:17 44:2 46:14 | 59:4 60:14,16 |
| ticket 21:12 | 75:10 | updates 21:20 | 48:7 58:5,5,23 | 69:19 70:17 74:5 |
| tier 48:25 | trying 7:13 63:21 | upfront 26:16 | 62:7,16 68:18,22 | we've 28:13 |
| tight 64:19 | Tuesday 46:2,3 | uploaded 66:3 | 73:5,6 75:2,16 | website 56:1,13,18 |
| time 7:4 8:12,18 | tuned 56:11 57:2 | upshot 71:10 | 76:21 77:4 80:20 | week 43:22 46:16 |
| 12:24 14:9,22 | turn 12:11 14:2 | use 10:13 41:17 | wanted 18:23 25:9 | 57:1,6 64:19 |
| 23:19 26:8 29:1 | 15:17 50:5 66:23 | 49:22 51:4,17,18 | 26:8 27:2,19 | weeks 12:25 55:11 |
| 37:20 38:13 44:2 | 71:8 | 52:1 66:11 | 31:18 34:13,17 | 72:17 78:8 |
| 46:1 49:15 64:11 | turnaround 74:3 | useful 43:12 66:9 | 46:5 57:11 69:5 | weigh-in 27:7 |
| 65:21 66:11,25 | Turning 13:23 | utility 22:2 | 72:25 | welcome 3:22,24 |
| 67:4,6 68:15 70:8 | tweaks 45:23 | utilization 52:12 | wants 66:18 | went 42:25 53:17 |
| 72:9,11 73:13 | twenty-seven 35:2 |  | warranties 5:11,20 | 53:20 60:1,19 |
| 74:3,18,22 80:4 | 35:11 | V | wasn't 11:9 | 65:18 |
| timed 65:24 | twenty-two 35:14 | vacancy 6:10 | waste 80:4,4 | weren't 7:6 61:25 |
| times 7:2,5 36:2 | two 7:2 16:5 20:3,5 | valid 40:13 | watch 77:5 | Whitney 2:11 |
| 50:15 65:3 74:4 | 20:7 21:8 24:11 | value 18:2,14 19 | way $21: 7$ 29:11 | 33:25 65:22,22 |
| titled 28:13 | 24:11 26:7 31:11 | 40:10 | 38:16 44:8 65:24 | wholly 52:20 |
| today 12:16 29:11 | 35:14 41:14 49:6 | values 18:2 | 72:20 80:24 | whopping 51:13 |
| 29:14,25 40:24 | 50:15 51:7 53:24 | variance 48:15 | ways $22: 15$ | widening 59:11 |
| 46:1 49:12 72:12 | 55:15 56:12 57:2 | variances 15:7 | we'll 12:7 26:12 | Williams 82:5,18 |
| told 14:20 | 60:15 69:12 74:1 | varied 18:1 | 30:16,24 36:25 | win 53:15 |
| Tommy 2:8 | 75:3,4 78:8 | various 28:3 36 | 43:13,15 48:23 | wise $23: 10$ |
| tomorrow 42:21 | type 58:14 | vehicle 50:3 | 54:19 57:16 69:19 | woman-owned |
| tonight 5:24 | typically 19:9 | vending 47:23 | 74:11 75:19 | 49:8 |
| topics 67:3 |  | 67:22 | we're 6:2 7:13,15 | women 52:13,20 |
| total 17:25 18:24 | U | verbalized 80:10 | 9:16 14:2 16:15 | 53:22 |
| 34:24 35:10 47:15 | Uh-hmm 75:6 | version 33:3 | 17:1,9,15 19:23 | women- 47:9 |
| touch 14:15 | unallocated 36:22 | 39:19 | 21:11,12,14,15 | women-owned |
| touched 45:5 | 41:14 | vetted 70:2 | 22:10,14,15,24 | 47:17 48:9 |
| tough 62:9,13 | underground 22:2 | V | 23:17 24:8 25:13 | won't 29:15 48:19 |
| town 71:7 | understand 16:4 | video 55:12,20,22 | 26:4,9 27:23 | 50:15 53:7 74:21 |
| track 23:12 42:19 | 17:1 28:2 43:25 | view 73:9 | 32:10 33:13 43:4 | Wonderful 3:22 4:5 |
| tracking 17:15 22:3 | 52:20 69:24 | visit 56:6 | 45:20 46:3,10,12 | 81:7 |
| 74:9 | understanding | visitors 56:13 | 48:25 49:21 50:25 | word 56:16 80:15 |
| transactions 35:7 | 26:15 28:25 30:8 $30 \cdot 10$ | volunteering 65:8 | 51:21 52:1,13 $53.554: 757: 6$ | wording 27:2 80:9 |
| transcript 82:8 | 30:10 | vote 3:13,16 | 53:5 54:7 57:6 | words 38:17 |


| work 10:12 12:19 | 65:7 71:18 76:6 | 2020 59:3 71:22,23 | 46 13:18 15:10 |
| :---: | :---: | :---: | :---: |
| 12:22 15:1,12,21 | Yvonne 2:18 43:3 | 72:1 | 59:15 |
| 16:23 19:13 21:1 | 54:22 | 2022 1:3 82:14 | 475.7 36:21 |
| 21:3 22:16 23:1 | Z | 2023 57:12,23 | 477 46:4,15 |
| 24:25 25:21 26:16 | Z | 2025 13:10 15:10 | 492 46:2,3,15 |
| 26:19 28:4 30:11 | zero 7:23 72:11 | 61:1 | 5 |
| 31:12 32:15 36:16 | 0 | 203 13:1 55:6 | $\frac{\mathbf{5}}{\mathbf{5 3 2 : 2 2}}$ |
| $\begin{aligned} & 39: 13 \text { 43:3 45:3 } \\ & 51: 22 \text { 53:10,23 } \end{aligned}$ | $0.519: 15$ | $2146: 21$ 21.734:25 | 5:0074:23 |
| 55:10,20,21 56:15 | 1 | 22 14:3,7 21:2 | 5:561:4 |
| 56:22 61:11 63:3 |  | 220 40:17 | 5067:13 |
| 63:22 72:25 78:9 | 114.1.5 46:7 | 222 38:1 | 50,0007:22 73:24 |
| worked 9:23 17:5 | 1.4848:12 | $22539: 4$ | $500038: 15$ $\mathbf{5 2 7} 38$ $\mathbf{5} 0$ 80:2 |
| 44:5 65:14 78:7 | 1.537:24 38:2,4 | 24th 66:17 68:2 | 527 38:8 |
| workflow 77:22 | 10 59:23 | 25 60:18 | 580 48:3 |
| $78: 9$ working $7 \cdot 1814.5$ | 100 13:20 80:2 | 27 47:4 60:2 | 6 |
| working 7:18 14:5 14:16,25 15:13 | 108 40:25 41:3,5,10 | 2846:6,11 $47: 3$ 28th 82:14 | 632:4 |
| 16:10,15,25 17:1 | $11047: 15,16$ $1249: 13$ $76: 8$ | 2949:12 | 6051:25 |
| 17:9 21:12 23:10 | 12,000 56:13 | 3 | 6th 74.2075 .7 |
| 29:11 49:25 72:6 | 13 65:7 |  | 7 |
| $\begin{gathered} \text { 73:22 } \\ \text { workload 67:22 } \end{gathered}$ | 139 40:17 | $\begin{array}{\|l} \mathbf{3} 46: 19,20 \\ 59: 3 \end{array}$ | 7:39 81:11 |
| works 5:20 11:15 | 1441:10 | 3.536:21 | 7033:6 41:6,9 |
| 11:17 21:8 36:5 | 147 41:13 | 309:1 46:12 51:25 | 7660:1 |
| 80:16 | 147.4 15:14 19 293:11 | 300 13:1 55:6 | 7948:1 |
| workshop 23:14 | 56:25 67:14 76:8 | 30th 34:23 | 8 |
| 66:1,4,19 68:2 | 15,000 67:13 | $3147: 5,19$ $\mathbf{3 2} 15 \cdot 11,2253: 20$ | 81 12:21 |
| 70:10 | $15076: 7$ | 32 15:11,22 53:20 | 8533:10 |
| workshops 66:16 wouldn't 26:1 44:1 | 16 53:16 56:17 | $\begin{gathered} 53: 22 \\ \mathbf{3 3} 46: 8 \\ 53: 1 \\ 55: 8 \end{gathered}$ | 8771:17 |
| $\begin{aligned} & \text { wouldn't 26:1 44:1 } \\ & 63: 11 \end{aligned}$ | 17 22:18,21 | $\begin{aligned} & \mathbf{3 3} 46: 8 \text { 53:1 55:8 } \\ & \mathbf{3 4 2} 48: 5 \end{aligned}$ | 9 |
| writing 62:23 63:7 | 18 13:21 22:19,20 <br> 41:4 | 34935:4 | 959:4 |
| wrong 37:21 | 18055:25 56:2 | 3547:18 | 92 53:13 |
| X | 19 1:3 38:25 45:14 | 353535:6 | 9513:19 |
|  | 192-day 74:2 | 377 35:18 |  |
| yeah 44:21,22 45:7 | 2 | 379 36:10 |  |
| yeah 44:21,22 45:7 $64: 2366: 20,21$ | 2.9 10:20 | $38036: 10$ |  |
| 71:9,24 75:1 77:7 | 200 13:11 21:10 | 4 |  |
| 80:11 | 59:9 71:5 200973.15 | 459:23 |  |
| year 49:6 60:18 | 2009 73:15 <br> 2014 28:18 29:10 | 40 49:14 59:10 |  |
| 61:1 | 201428:18 29:10 | 41 15:11 |  |
| years 9:1 14:20 | $\begin{gathered} 31: 8 \\ \mathbf{2 0 1 7} 42: 2 \end{gathered}$ | 42 49:17 53:17 |  |
| $36: 22$ 37:20 38:24 $49: 1358: 1560: 15$ | $\begin{array}{\|l\|l\|} \hline \mathbf{2 0 1 7} 42: 2 \\ \mathbf{2 0 1 9} 13: 25 \end{array}$ | $43 \text { 17:25 }$ |  |
| 49:13 58:15 60:15 |  | 45 51:13,15,24 |  |

