



OAKLAND CA 94615
19 APR 2016 PM 6 1

Gregg Visineau
1428 Lawrence St
El Cerrito, CA 94530

Tom Panas, Chairman
Citizens Bond Oversight Committee
7345 Fairmount Avenue
El Cerrito, CA 94530

94530974246

Friday, April 15th, 2016

Gregg Visineau
Peggy Wilcox
1428 Lawrence Street
El Cerrito, CA 94530

Contributing to your
LESSONS LEARNED

510 236 0761
gvisineau@gmail.com
pwilcox00@yahoo.com

FRED T. KOREMATSU MIDDLE SCHOOL:
A Neighbor's Perspective on Construction

We presume that, as an industry best practice, you will be conducting a post mortem on the Korematsu Middle School Project; and that a major part of that post mortem will be the capture of "lessons learned" for making future projects better. To that end, we pass along our ideas for improvement. None of these are earth-shattering. In fact, they are so simple and obvious that we wonder why they weren't implemented on your projects long before this. Or if they were already in place, we wonder why they weren't consistently in force on this Project.

We hope you take them seriously. These are clearly not trivial. At the very least, we expect a response acknowledging receipt of this; much better yet would be an improvement plan in response.

The DISTRICT: West Contra Costa Unified School District (WCCUSD)

- Luis Freese, *Chief Engineer*
- Lisa LeBlanc, *Associate Superintendant for Operations*
- Ferdinand Vergeire, *Bond Regional Facilities Project Manager*
- David Carey, *Construction Manager*
- Matthew Burnham, *Principal*
- School Board Members
- Citizens' Bond Oversight Committee, *Chair, Vice-Chair, Secretary*
- Hibser Yamauchi Architects, Inc, *Marcus Hibser, Principal*

The CITY: City of El Cerrito

- Scott Hanin, *City Manager*
- Yvetteh Ortiz, *Public Works Director/ City Engineer*
- Melissa Tigbao, *Engineering Manager/ Senior Engineer*
- Saied Aminian, *Engineering Division/ Engineering Technician*
- Sgt Shawn Maples, *Police Department*

TIMELINE: March 6th, 2013 – March 28th, 2016

It has now been 3+ years from your first (and only) official “Neighborhood Update” (March 6th, 2013) to the first day of actual operations at the new Korematsu Middle School (March 28th, 2016).

This is important: Between those starting and end points, no one from the District – at their own initiative – has ever engaged the neighborhood directly (one-on-one), regularly and officially in any way¹. Any outreach occurred only when prodded by the neighborhood itself, usually out of our own extreme frustration with events on the ground².

Here’s a verbatim copy of the original flyer where you set our expectations for the Project:

March 6th, 2013: Neighborhood Update

QUOTE

Dear Neighbors,

The construction of the new Portola Middle School will begin early Summer 2013 and is scheduled to be completed by Winter 2015³.

During the construction phase of the project, you may notice changes in your community.

We apologize for any inconvenience this may cause and we greatly appreciate your patience and support.

The WCCUSD will have a construction representative onsite throughout the duration of construction. Should you have any questions or concerns, please contact:

Lew Brower, Project Manager

510 307 4697 (office)

lbrower@wccusd.net

Rene Barrera, Project Engineer

510 307 4698 (office)

rbarrera@wccusd.net

UNQUOTE

¹ Your Architects did host three “Community Meetings”: One on Saturday, May 31st, 2014 to a general audience at the Castro Clubhouse; and then a couple in mid-2015 (Tuesday, July 7th and Thursday, July 23rd) to show their Project update to neighbors first and then to parents & students, both at the El Cerrito High School Cafeteria.

² At our invitation, Mr Chapa first visited our residence Wednesday, September 18th, 2013, accompanied by Mr Vergeire. After replacing Mr Chapa, Mr Carey first introduced himself Monday, July 20th, 2015. Periodically thereafter, both Mr Chapa and Mr Carey dropped off carwash vouchers at our request.

³ Completion was originally scheduled for December 2015.

MAJOR LESSONS LEARNED

1. **Neighborhood Updates should continue regularly throughout construction.**

We asked for these from our first visit with Jose Chapa (Wednesday, September 18th, 2013), your first Construction Manager (through December 2014). He promised them, but followed through **only twice** that we're aware of (after a request from the City one year later, on Tuesday, September 16th, 2014). We mentioned it also to David Carey, Jose Chapa's replacement in July 2015. He was a bit **more** proactive, but not at several key times (e.g., during paint overspray, hazmat removal and roofing tar application).

As you know, these are standard practices by other public entities during major construction projects, such as the Contra Costa Community College District (e.g., at Contra Costa Community College) and the WCCUSD charter schools (e.g., at Summit K2) during their major renovations.

Surely your projects work from timelines of activities, updated periodically as the projects progress. We never could understand why a weekly schedule could not be made available to us, e.g., on each Friday for the following week. Even a "short version", modified just to show those activities impacting the neighborhood, would have been better than the nothing that we got. This would have allowed us to adjust our own schedules and protect our own assets prior to being adversely affected by construction activities. Our several requests for these updates were never acted upon.

2. **"You may notice changes in your community". This should be changed to represent the stark black-and-white truth**, for example:

"There will be changes in your community. Some will be major disruptions which we will proactively work to minimize; and which we will retroactively work to mitigate on your behalf. Others will be minimal and we'll work hard to eliminate them so that they don't keep happening". Do not downplay the impact of such a major project (which the original wording clearly does); it does not serve the best interests of anyone involved.

3. **"We apologize for any inconvenience...and we greatly appreciate your patience". This should be amended to drive home the more truthful statement in #2 above**, for example:

"Any suggestions are appreciated and will be acknowledged and acted on as soon as possible", or words to that effect. "Patience" does indeed wear thin without any corrective action in return.

4. **"The WCCUSD will have a construction representative onsite throughout the duration of construction. Should you have any questions or concerns, please contact, etc". This is important and has to be fully operational throughout the duration of the project.** It never was for the Korematsu project:

In spite of our efforts to find and communicate with Mr Brower, we never succeeded even once. And Mr Barrera was removed very early on (we learned this first from a 3rd party, and only much later from a District official), without ever having a replacement contact officially named to the neighborhood.

Could you please tell us now (since the answers were missing during the 3+ year construction period): What positions Lew Brower and Rene Barrera ever actually filled with the Project? Who were they affiliated with? Where were they located (because “onsite” was never instructive)? What happened to them? When were they replaced? Who replaced them and in what capacity? And why was the entire neighborhood never officially notified of any of these many changes to your “representative onsite throughout the duration of construction”?

This clearly made it difficult, if not impossible for us to “please contact you should we have any questions or concerns throughout the duration of construction”.

Mr Ferdinand Vergeire (who was never officially named to us as your Project representative) did finally confirm to us that Mr Jose Chapa was actually our point-of-contact. And he also confirmed to us that Mr Chapa could speak to us with the full authority of the WCCUSD. We are not aware that this was ever communicated to the rest of the Project’s affected neighborhoods by flyer or other means.

To his credit, Mr Chapa did reach out to us at times – but always under the duress of neighborhood complaints. We were never notified of Mr Chapa’s departure in December 2014. And we were never notified of his replacement by Mr David Carey in July 2015. Mr Carey also reached out to us at times, but almost never proactively and usually in reaction to neighborhood complaints.

We do not believe this was your intent; but if it was, you need to make that clear when setting neighborhood expectations for the District liaison during these major construction projects.

In addition, Mr Carey failed to live up to commitments made to the neighborhood by Mr Chapa. One can only conclude that any commitments made by the District are in fact personality-based and not position-based; you’d have to agree that this is most distressing and is hardly complimentary of the District and its upper management’s instructions to onsite project management.

MAJOR DISRUPTIONS: EXAMPLES

What your March 2013 “Neighborhood Update” significantly understated as an “inconvenience”, Mr Chapa, Mr Carey and the City each told us, in person and more than once: “This is a major industrial construction project being built in a dense residential neighborhood on a cramped site. Anyone who told you it would only be a minor inconvenience was not telling you the truth or did not really know what they were talking about”.

What follows is not even remotely close to being an exhaustive list of major disruptions caused by the Project. These are real; they are not made up. Each and every one is fully documented and, in most cases, was shared at one time or another with the District and the City.

We would strongly recommend that you survey others in the several blocks surrounding all four sides of the Project to confirm these examples; we expect that you will be able to collect many other items to add to this list:

Major Health & Safety Issues in the Neighborhood

- **Speeding dump trucks** without attention from the Project until complaints from residents.
- **Four hit-and-run incidents** (on Lawrence Street alone). In no case did the Project's offenders voluntarily come to the fore without witnesses forcing the issue. *Ref: Dec 9th 2015 e-mail to D Carey.*
- **Hazmat** removal of asbestos without forewarning to residents.
- **Hazmat** removal of asphalt without forewarning to residents.
- **Significant and unanticipated shoring work** required on the Lawrence Street border due to excavation activity at the site and subsequent risk of failure from vehicle traffic on the street.
- There were (and continue to be) so many gross safety disruptions arising from design, construction and operations at the **MPR driveway/ramp site** (what we affectionately refer to as the "Lawrence Street delivery zone") that we can't recap them here. Refer instead to: Our letter dated Wednesday, February 10th, 2016; and our e-mails dated Friday, March 25th, 2016 and Monday, April 11th, 2016.

Other Adverse Impacts on "Quiet Enjoyment" of our Property and Neighborhood

- **Sap-laden sawdust** stuck on vehicles and property without forewarning to residents of tree cutting in the area ("I didn't even know it was going to happen", Mr Chapa told us).
- **Paint overspray** stuck on vehicles and property without forewarning to residents of spray painting in the area ("You mean they didn't wrap your cars in plastic?", asked Mr Carey).
- **PG&E jack-hammering** at 6:30 am on Saturday morning without forewarning to residents ("It was an emergency request from the District", said the PG&E worker. "I didn't even know it was going to happen", Mr Chapa told us).
- **Regular street sweeping** began only after residents' complaints to the City of El Cerrito.
- **The Castro Park sports field complex** was completely out of service during all three summers that the school was under construction (2013, 2014 and 2015). The Project was apparently unsuccessful in two consecutive efforts to fix & repair the complex's grading, sod and sprinkler systems after trenching & laying storm drains and other water (fire control?) systems through the tract. The final (third and now at long-last complete) rehabilitation was ceded to the City.
- **The sight lines** from Lawrence Street are significantly degraded from those over the original Castro Elementary School MPR, in spite of constant assurances to the contrary from your Architects: Did any of your designers live here beforehand, with views over the Castro MPR? Do any of them live here now, with corrupted views over the new MPR? Lip service has been given to making the roofs' mechanical equipment unobtrusive, but no corrective action has yet been taken.

Continuous Impacts

- **Incomplete, inadequate, sometimes non-existent control of dust and debris throughout the Project:** Dirt, sawdust, paint overspray, tree sap, mud, concrete dry mix, soil, grading dust clouds, etc. Both Mr Chapa and Mr Carey acknowledged that our section of Lawrence Street was "in a wind tunnel zone" from the Bay. Both witnessed, "up close and personal", several egregious incidents. And yet both seemed incapable of assuring that our properties were protected. Green fabric on the fencing was often ineffective, defective or bypassed by contractors; the "water buffalo" for tamping down dust with a fine water spray was often not in use at all or was in use at other parts of the site.

- **Property damage mitigation (or lack thereof):** Mr Chapa (with Mr Vergeire) agreed to pursue neighborhood house cleaning at our in-home meeting on Wednesday, September 18th, 2013. It was officially agreed by the District on Friday, November 22nd, 2013. But the first cleaning was not actually done until Thursday, June 26th, 2014: Seven months later.

On Tuesday, September 16th, 2014, Mr Chapa committed to further periodic house cleanings in the presence of a City representative. These were jointly expected to occur at roughly annual intervals (Winter/Spring 2015 and Winter/Spring 2016) to allow our summers to be somewhat more tolerable during construction.

In July 2015, Mr Chapa's replacement, Mr Carey, said he didn't know of such a commitment (when 2015's cleaning was already past due); but then he confirmed it and re-committed to it last November 2015 (four months later). We were even scheduled for cleaning in early November, but were then postponed "to the end of the Project" in March 2016. Finally, we were completely cancelled this year on Thursday, March 17th "because of all the rain" (which of course did not do anything compared to pressure washing and hand cleaning of the 2-years of dirt and grime from the Project since June 26th, 2014). Trust us: You all would NEVER tolerate this unmitigated damage to your homes.

CONCLUSIONS

Communicate regularly and officially, not just once at the start. Always forewarn the neighborhood of activities which will directly impact them and their properties.

Don't sugarcoat the impact of the project on the neighborhood. This has been a bit more than an "inconvenience" for the past 3-years. Calling it anything other than a "major disruption" is extremely misleading if not completely disingenuous.

Build – and then work hard to maintain – a positive working relationship with the affected neighborhood. Lew Brower & Rene Barrera, Ferdinand Vergeire, Jose Chapa and then David Carey do not really comprise a very effective continuous working relationship with the neighborhood. This was unfair to them. And besides, beyond Mr Brower and Mr Barrera at the very start, no official notification was ever circulated to the neighborhood for who we should "*contact with our questions and concerns throughout the duration of construction*".

Solve problems immediately: Do not hesitate, do not postpone. And please don't just "say whatever you think it will take to make us go away". That destroys your neighbors' trust.

Live up to your commitments: If you make them, keep them. Please don't backslide or disavow them if you change personnel. That's a very poor excuse for not keeping your word.

Appoint, maintain and empower an actual single point-of-contact for the neighborhood, as you promised in March 2013. If your liaison to the neighborhood is really supposed to be the onsite Construction Manager, then officially and widely notify us all of that. And make sure his (or her) roles and responsibilities to that effect are clear (and consistent) to both us and the Construction Manager.

Mr Chapa and Mr Carey both told us from the start of their stints here that they considered “positive relations with the affected neighborhood to be of utmost importance”. It’s clear in hindsight that this was unfortunately not to be the case in actual practice, for whatever reason.

Clarity of roles and responsibilities from the get-go would surely benefit us all – the District and the neighborhood – *“throughout the duration of construction”*.

So, now it’s back to you. The ball is squarely in your court to let us know what you’ve learned that you didn’t know already. And what you plan to do in the future to assure your WCCUSD neighbors that they will not be disrupted anywhere close to the extent that we’ve been over the past 3-years.

We repeat: You all would NEVER tolerate this unmitigated damage to your homes and to your neighborhood’s quality of life.



Gregg Visineau

Peggy Wilcox

1428 Lawrence Street

El Cerrito, CA 94530

Cc: Lawrence Street residents fronting Castro Park and Korematsu Middle School:

- Roy, 1440 Lawrence Street
- Linda, 1436 Lawrence Street
- Peter and Suzanne, 1424 Lawrence Street
- John and Cathy, 1420 Lawrence Street
- Jason and Stephanie, 1416 Lawrence Street