



Measure X – CBOC

CITIZENS' BOND OVERSIGHT COMMITTEE

Remote:

<https://zoom.us/j/98729139199?pwd=cjhqc1gwR0ZXaE1yWFovZ3NSUVdXZz09>

📅 Date: November 2, 2022

🕒 Time: 6:00 PM

Please contact lori.rubenstein@simivalleyusd.org if you wish to attend this meeting and have not been invited.

Meeting Minutes - November 2022

I. Call to Order

Time 6:04 pm by Josh Mengers

II. Roll Call

Present:

Committee Members:

- Josh Mengers, Chair
- Steven Randall, Vice Chair
- Rebecca Hopkins, Secretary
- Jay Patel
- Josh Platten
- Ray Mehta
- Larry Borovay

Other Attendees:

- Martin Hom, Lawyer for Bond
- Ron Todo, Asst. Superintendent of Business & Facilities
- Pedro Avila, Director of Facilities and Planning
- Lori Rubenstein, Bond Program Manager
- Jake Finch, Public Information Officer
- Debbie Nelson, Administrative Asst. for Bond
- Susan Stevenson, Accountant for Bond

Absent:

Committee Members:

- John Strickler
- Omar Noorzai

III. Pledge of Allegiance: Lead By: Steven Randall

IV. Approval of minutes: September 28, 2022

Motion: Steven Randall

Second: Rebecca Hopkins

Vote: 7/0

V. Public Comments

None

VI. Information Items

a) Committee Categories and Terms:

i) Board Approved 10/18/22:

Members	TERMS			DATE		Position Held	REQUIRED CATEGORIES					
	Term #1	Term #2	Term #3	Date Started	Date Ended		Local Business Org.	Senior Citizens Org.	Bona-fied Taxpayers Org.	Parent/ Guardian of Child Enrolled in District	Parent/ Guardian of Child Enrolled in District and Active in PTA or School Site Council	At-Large Community Member
	One (1) Year	Two (2) Year	One (1) Year									
	One (1) Year	Two (2) Year	One (1) Year									
Steven Randall (Alternate on 3/13/17)	X	X	X	03/01/18	6/30/23	Vice Chair			X			
Jayesh Patel	X			08/17/21	9/30/23	CO-Publicity Chair				X		
John Strickler	X			08/17/21	9/30/23			X				
Josh Mengers	X			08/17/21	9/30/23	Chair				X	X	X
Josh Platten	X		X	08/17/21	9/30/24					X		
Larry Borovay				06/14/22	9/30/24		X					
Omar Noorzai	X		X	08/17/21	9/30/24					X	X	X
Rasesh (Ray) Mehta	X			08/17/21	9/30/23					X	X	X
Rebecca Hopkins	X		X	08/17/21	9/30/24	Secretary / CO-Publicity Chair			X	X		

Lori Rubenstein informed everyone that we need to amend the above chart to reflect Larry Borovay's term as Term #1, Two (2) year (see corrected chart below).

Members	TERMS					DATE		Position Held	REQUIRED CATEGORIES					
	Term #1	Term #2	Term #3	Date Started	Date Ended	Local Business Org.	Senior Citizens Org.		Bona-fied Taxpayers Org.	Parent/ Guardian of Child Enrolled in District	Parent/ Guardian of Child Enrolled in District and Active in PTA or School Site Council	At-Large Community Member		
	One (1) Year	Two (2) Year	One (1) Year											
	One (1) Year	Two (2) Year	One (1) Year											
Steven Randall (Alternate on 3/13/17)	X	X	X	03/01/18	6/30/23	Vice Chair		X						
Jayesh Patel		X		08/17/21	9/30/23	CO-Publicity Chair			X					
John Strickler	X			08/17/21	9/30/23		X							
Josh Mengers	X			08/17/21	9/30/23	Chair			X	X	X			
Josh Platten	X		X	08/17/21	9/30/24				X					
Larry Borovay		X		06/14/22	9/30/24		X							
Omar Noorzai	X		X	08/17/21	9/30/24				X	X	X			
Rasesh (Ray) Mehta		X		08/17/21	9/30/23				X	X	X			
Rebecca Hopkins	X		X	08/17/21	9/30/24	Secretary/ CO-Publicity Chair		X	X					

*Revised Chart.

Chair Mengers stated that he believes all members automatically qualify as At-Large in addition to the specific categories they fill, and that the Board of Education (BOE) isn't required to approve the members for each category. Rebecca Hopkins disagreed and directed everyone to 5.1 of the Bylaws. Mr. Hom agreed, stating that the BOE appoints members based on the category they can fill.

VII. Discussion Items

- a) Measure X Oversight:
 - i) Summary of Royal High School MPR tour:

Two members of the CBOC, Jay Patel and Ray Mehta, attended the tour, along with several District Cabinet members, a BOE member, and numerous other district and construction staff.

Mr. Patel stated that he was disappointed in the progress and paint color choice, although he thought that the MPR looked great otherwise. Ms. Hopkins mentioned that paint choices are not the CBOC's decision pursuant to bylaw section 3.5(d). He inquired about the

completion date and any cost overruns. Lori Rubenstein stated that there were delays due to Covid, however, the project costs are not over the change order amounts.

Mr. Mehta stated that the MPR looked good and that substantial progress has been made. He inquired about the completion time of the east quad. Lori Rubenstein verified that it should be finished by the end of winter break.

ii) Summary of any other site visits:

Chair Mengers mentioned that he had visited the Simi Valley High School construction site and saw a classroom that had not yet been renovated, as well as a classroom that had been renovated so he could compare the two, and attended a construction meeting. He stated he was glad to see a lot of scheduling during Thanksgiving break.

No other sites were visited by committee members.

iii) Update from District on Measure X:

Lori Rubenstein stated that the District is currently working on several projects such as the Royal HS (RHS) MPR, RHS MPR Plaza Courtyard, RHS East Quad, and Simi Valley HS (SVHS) Quad and SVHS Classroom Renovation, as well as getting ready to bid projects at Berylwood Elementary, Sycamore Elementary, RHS and SVHS (snack bars), and SVHS (MPR/Science building). There are approximately 29 projects, in various phases.

Ron Todo mentioned that the Bond Workshop that was recently held went over many of the current and future projects, and that the presentation can be found on the District's website. Rebecca Hopkins stated that she attended the workshop and suggested that everyone should review the presentation to see the status of the various projects, as well as which projects the Board is approving to go ahead with considering the limited funds that remain from the current bond. Lori Rubenstein reinforced this by listing the projects that are continuing, such as the classroom renovations, one of the new classroom buildings at RHS (as opposed to both), rebuilding the SVHS MPR with attached science building, while putting the SSHS Black Box Theatre project on hold. All based on BOE decisions.

Questions arose as to whether there would be another bond to finish the incomplete projects, to which Ron Todo replied that although it is a thought, each time it was brought up during the workshop, the suggestion was met with silence. There are several bond measures being voted on in November across the state that the district will monitor.

Further inquiries were made about the process and costs involved in getting a bond on the ballot, to which Ron Todo explained that the first step is for the BOE to approve putting the bond measure forward, based on the needs determined by facility assessments. After that, the school district is no longer involved. A bond campaign committee is created, made up of citizens, educators, and people who are independent of the school district that raise

funds and campaign for the bond, usually with the help of an outside agency. He also stated that the money comes from private donations, not District funds. Mr. Hom confirmed that District funds can't be used to campaign, but they can be used to put out information about the bond.

iv) Review Quarterly Expenditures:

Lori Rubenstein sends out the expenditure report to all committee members after every Board of Education meeting.

v) Discussion:

Rebecca Hopkins brought it to everyone's attention that the information contained in the expenditure reports is very informative and would answer many questions they may have if they were to read it when it's sent out.

b) CABOC Virtual Annual Conference

i) Measure X CBOC & District Staff Attendance:

The members of the CBOC that attended the conference were: Josh Mengers, Jay Patel, Rebecca Hopkins, and Ray Mehta. District attendees were: Lori Rubenstein.

ii) Sharing any notes, summary, take-aways:

Rebecca Hopkins thought it was very informative and enjoyed learning about the different types of contracts.

Lori Rubenstein mentioned that the CABOC audit they referenced included our district which was found to be in compliance.

Chair Mengers brought up how they talked about the CBOC being independent of the district with their own legal counsel. He suggested that those who didn't attend might want to review the posted recordings and presentations for more information.

iii) Discussion:

Chair Mengers suggested the CBOC do its own audit of the district. Steven Randall and Rebecca Hopkins disagreed since there is already a yearly audit done by licensed professionals that perform audits for a living and would most likely catch things that the CBOC wouldn't. Jay Patel agreed with Chair Mengers due to the fact that the auditors are paid by the district. However, Rebecca Hopkins pointed out that they are certified and licensed and have to uphold certain standards regardless.

VIII. Old Business

a) Revisit proposal to establish an Active and Independent Oversight Subcommittee

- i) Draft Proposal attached
- ii) Discussion / amendments to draft proposal

Chair Mengers put forth that he doesn't believe that the CBOC is independent, as the bylaws were written by the District, the committee only meets quarterly, and the CBOC doesn't have legal counsel. This was countered by Lori Rubenstein who stated that the committee can change the bylaws, but they need to be approved by the BOE. This concerned the Chair as he believes the BOE is a part of the District. Pedro Avila explained that the BOE is an elected body, serving a limited term, not paid by the District, so they are therefore not district employees.

Jay Patel voiced agreement with Chair Mengers that a subcommittee would help the CBOC be more proactive in making sure the bond money is spent correctly on behalf of the citizens of the community.

- iii) Vote to **not** establish an active and independent oversight subcommittee, whereas a "yes" vote = "not" to create a subcommittee and a "no" vote = "yes" to create a subcommittee.

Motion: Rebecca Hopkins Second: Steven Randall Vote: 4 yes/2 no/1 abstained

Motion passed – there will be no subcommittee

- b) Revisit obtaining independent legal counsel for the committee

- i) Discussion

Chair Mengers believes to be more independent, the CBOC needs its own counsel. Ron Todo stated that if the need arises where the CBOC has a differing opinion from the District, the CBOC can obtain a second opinion via outside legal counsel at that point. The funds for the legal counsel would come from the District's General Fund. Rebecca Hopkins voiced appreciation on where Chair Mengers is coming from, but doesn't feel it is necessary at this time to obtain separate legal counsel.

- ii) Vote to obtain independent legal counsel for the committee

Motion: Rebecca Hopkins Second: Jayesh Patel Vote: 1 yes/5 no/1 abstained

Motion did not pass – there will be no separate legal counsel for the committee

IX. New Business

- i) Expenditure report

Chair Mengers asked if anyone had anything to discuss regarding the expenditure report. There were no comments regarding the report, however, Rebecca Hopkins brought up how looking over the City's budget online is informative and might be something to look at for insight. Ron Todo stated that the District uses the same platform as the city (Opengov) for

the District's General Fund, not Bond funds. The link is on the District website, and included here: <https://simi-ca.schoolloop.com/opengov>

- ii) The District is contemplating adding a new CBOC member.

Lori Rubenstein informed the committee that the District has someone who is possibly interested in joining the CBOC that may be going to the BOE for approval.

Additional New Business (New business can be added but not discussed until the next meeting.):

Rebecca Hopkins would like the Bond Workshop information sent to the CBOC. Lori Rubenstein will include it with the meeting minutes.

X. Next Meeting

Date: March 1, 2023 **Time:** Tour of SVHS at 3:30 PM with an In Person meeting at 6:00 PM

Location: Simi Valley High School for tour with meeting location TBD.

XI. Other Business

- a) Future Agenda Items

Chair Mengers would like the Co-Publicity Chairs, along with the members who went on site tours/visits, to write something up to present at the next meeting, for revision by Jake Finch.

- b) Regular Board of Education meetings:

November 15, 2022;	December 13, 2022;	January 17, 2023;
February 21, 2023;	March 14, 2023;	April 18, 2023;
May 16, 2023;	June 13, 2023	

- c) Proposed upcoming CBOC meetings:

March 1, 2023;	May 24, 2023
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XII. Adjournment

Time 7:46 pm **by** Josh Mengers

Motion: Rebecca Hopkins

Second: Steven Randall

Vote: 6/0 (1 abstained)

NOTICE: The School District accommodates individuals with disabilities. Forty-eight hour advance notice is required to meet special needs for public meetings. Upon written request, materials in alternate formats will be provided for individuals with disabilities. Please contact the Bond Program Manager, 306-4500 ext. 4461.