

RIVERSIDE UNIFIED SCHOOL DISTRICT
MEASURE O CITIZENS' BOND OVERSIGHT COMMITTEE MEETING
THURSDAY JUNE 9, 2022
4:30 P.M.

Call Meeting to Order:

The Measure O Citizens' Bond Oversight Committee meeting commenced at 4:30 p.m.

Members Present:

Tina Grande-Field, Keith Nelson, Terry Walling, Lara E. Martin, Martin De Campo, Bob Garcia, Diane Kwasman, Amanda DeLao, Douglas Kroon, Marilyn Robinson, Art Alcaraz

Member Absent:

David Bristow

Staff Present:

Sergio San Martin, Ana Gonzalez, Gaby Adame, Eric Walker, Samir Arreola, Rene Castro, Principal Terri McAndrew, Superintendent Renee Hill,

Consultants Present:

Tarana Alam from KeyAnalytics, Ruben Duran from Best Best and Krieger LLP, Bradley R. Neal from Stradling Yocca Carlson & Rauth

A. Call Meeting to Order

B. Welcome and Introduction of Members

Dr. Nelson commenced the meeting for the Committee. There are eleven members present, one not present, which makes a quorum.

C. Public Comments for Items not on the Agenda

None

D. Consent

1. Approval of Meeting Minutes of March 15, 2022

Dr. Nelson asked for a motion to approve the meeting minutes of March 15, 2022.

Public Comment

None

A motion was made to approve minutes by Tina Grande-Field and seconded by Diane Kwasman. A vote was taken per the Brown Act. The vote was as follows:

Yes: Tina Grande-Field, Keith Nelson, Terry Walling, Lara E. Martin, Martin De Campo, Bob Garcia, Diane Kwasman, Amanda DeLao, Douglas Kroon, Marilyn Robinson, Art Alcaraz

Abstain: None

Motion carried.

E. Louisa May Alcott Elementary School Tour

Mr. San Martin explained this tour would be led by Mr. Castro Project Manager for Riverside Unified School District (RUSD) and gave thanks to the Alcott staff for hosting this meeting.

Mr. Castro highlighted the project work conducted at Alcott elementary, summarizing the modernization and new construction details. Construction is expected to complete end of July. Principal McAndrew explained her excitement for the Committee to see the campus, as well as the community and students when the project is complete.

The Public had the opportunity to comment on this item.

Public Comment
Rich Davis

F. Action Items

1. CBOC Recruitment and Appointment Process Overview

Ms. Hill explained this item was regarding whether the committee desired to offer input on the recruitment and appointment process, and if so what input that may be. She reviewed a presentation and recapped items presented at the last meeting such as: the appointment process, the Bylaws language stating that members are appointed by The Board, advertisement requirement, and that Superintendent reviews and make recommendation. She stated that under Prop 39, the committee should consist of seven members, and the seven members must come from a number of specified groups to qualify as members, which she then listed. However, RUSD Board has approved thirteen (13) members.

Ms. Hill explained that currently there are six (6) vacancies of the thirteen (13). Bylaws state that termed-out members can continue to serve until appointments are made for the next members. Ms. Hill further explained on committee member qualifications, selection guidelines to meet Prop 39 criteria, and ongoing efforts in recruitment and solicitations. As of May, they have twenty-one (21) applications.

Ms. Hill identified in the presentation the names of the seven (7) members currently serving and applications submitted, as well as recommendations made by Superintendent to The Board, to which two were selected. Lastly, Ms. Hill stated the statutory obligations of The Board is to have a committee and appoint members, and ensure members satisfy requirements.

Dr. Nelson asked if there was a ceiling on the number of committee members in the bylaws. Mr. Duran apologized as he couldn't answer. Dr. Nelson then asked if there was a geographical mapping, and Mr. San Martin stated they did not have a map and recommended as point of order to have public comment first.

The Public had the opportunity to comment on this item.

Public Comment

Jason Hunter, Sandy R.

Committee Discussion

Dr. Nelson asked for clarity on the action item that he understood The Board had asked the Committee to make recommendations to the current recruitment and appointment process, and he understands Ms. Hill will present these recommendations at a meeting. Dr. Nelson stated one change recommended was that the Committee become part of the interview process and to join in on recommendations to The Board.

Mr. San Martin stated that the legal counsel can also explain the legalities of this subject, but The Board informed him and Ms. Hill that they are interested in seeking input from the Committee on the existing process. Mr. San Martin further explained that The Board is who appoints committee members, and the Superintendent is who recommends these community candidates to The Board.

Mr. Duran underlined the semantics of this topic being discussed. He stated that what the law and Districts bylaws state is the minimum requirement of seven members. The Board has chosen thirteen (13) CBOC members, but

there is no ceiling to the number of committee members. He relayed the bylaw process, that recommendations are made to The Board by the Superintendent, but The Board has chosen within that existing process to give the Committee the opportunity to provide the Superintendent input on the recommendations she shared with The Board. Dr. Nelson agreed and confirmed his understanding that The Board votes on any changes to the bylaws that may or may not occur, but the Committee is allowed to provide brainstorming ideas and input to the Superintendent on these current recommendations.

Dr. Nelson requested recommendations and if any, to discuss each individually, and if these recommendations can be added to the Superintendents list to be presented to The Board.

Mr. Garcia recalled from the previous Board meeting that The Board requested applications as they had not reviewed them yet, and asked how many specified groups a committee member can fill and how long the process is until new applicants are chosen. Mr. San Martin answered that legal counsel can respond, but after input is received, the District will take next steps, but there is no answer yet on timing. Mr. Neal answered that of six new members, in addition to the statutorily required seven members, The Board determines what categories additional members must fulfill, and any additional members not selected by The Board of Education can come from any categories. Mr. Garcia asked again how long the process will be until selection is made. Ms. Hill answered the shortest time could be July if The Board makes a decision, then.

Mr. De Campo recommended as input, that the Committee reviews the strongest applicants as well as the District and Board, and discuss what vetting could be added of these applicants. Mr. San Martin explained confidentiality of these applicants need to be protected and reminded that the Committee has information on who has submitted applications on slide No. 9. The Board would appreciate input on what the committee would want in applicants and request a motion from the Committee of what this input is. Ms. Hill added that she would take any recommendations for applicants from the Committee to The Board.

Dr. Nelson asked if he needs to request a motion for each recommendation or all together as one, and his second question is if The Board would only receive recommendations from the Superintendent, or if they would receive those not recommended by the Superintendent. Mr. Neal explained that The Board is responsible for appointment of members, and they use staff to

provide recommendations, and could choose members outside of Superintendents recommendations.

Dr. Nelson explained he sees it unnecessary in making a motion on each input item, but have the Superintendent bring all input to The Board, however, if cleaner he will suggest a motion per input item.

Dr. Nelson then explained that The Board considered allowing ad hoc Committees, but currently bylaws do not allow this.

Dr. Nelson asked to make a motion to support Mr. De Campo's suggestion, which Mr. De Campo repeated, to share applications with the Committee to review.

Mr. De Campo suggested a second motion to add more "self-screening" from the Committee on applicants in addition to the current process in place, and review together with staff if there is alignment on applicants, as a minor process change.

Ms. Martin clarified before motions, requesting if the Committee could receive the list of applications with last names omitted. She then expressed concern if there is conflict of interest for termed-out members on the applicant list also voting. Her third question is to know if additional applicants are being reviewed for Senior Community since there is not one. Ms. Hill answered Mr. Kroon was appointed by The Board for that category. Ms. Martin then asked of the remaining six future members, which group criteria can they come from, to which Ms. Hill answered these remaining six can come from any group. Mr. Duran added that The Board would appoint new members, or Senior Community members, when current members term out, at The Board's discretion.

Ms. Grande-Field suggested making the long process faster and caution diving too far down this process and slowing it down, to instead add parameters to the requirements of committee members and applicants, such as have redundancies in groups satisfied by members as a parameter. Her next question is how much information of the applicant the Committee would potentially see in their review, to which Mr. De Campo clarified he is motioning to see the full profile. Mr. San Martin added that any motion made today would be shared with The Board, which would include seeing all information of profiles.

Dr. Nelson clarified that his request to motion is dying as there is no second.

Ms. Hill added that current applicants are not aware their profiles could be made public, and if agreed to make the profiles public to the Committee, Ms. Hill will feel obligated to inform current applicants. Dr. Nelson clarified current applicants aren't affected by changes suggested today, as any recommendations made, if The Board approves, it requires changes to the bylaws in accordance to any changes in process, involving legal team to review these changes as well.

Ms. Grande-Field made a motion that future changes do not affect the current process, and it currently continue to be used in CBOC recruitment and appointment with current applicants.

Mr. Neal addressed concerns of wording used by Ms. Grande-Field in "allowing" The Board to use the current process, as it is The Board's responsibility to take or not take recommendations from the Superintendent, and The Board can change the process. The Committee can perform their statutory obligations without affecting current applications. Dr. Nelson clarified that the suggestion made today to make the process more transparent by the Committee does not affect the current list of applicants, but future applicants, to prevent future vacancies, since it will involve bylaw changes.

Mr. Garcia stated he would second Ms. Grande-Field's motion to not affect current applications selection process, if the total Committee members fulfill the thirteen numbers and not just seven. Ms. Martin added that this should be done for backfill purposes to satisfy group requirements and proper representation. Ms. Grande-Field then added what parameters they want the Superintendent to recommend and The Board to consider be what the Committee provides as input and what would be best for the Committee, if member group redundancy would be beneficial or to avoid committee members to fulfil more than one group requirement a time.

Dr. Nelson requested motion recommending the process consider constituency redundancy, then suggested a motion that applicants also fulfill a geographic representation.

Mr. Duran recommended combining these two concepts into one motion.

Ms. Grande-Field withdrew her previous motion.

Ms. Grande-Field instead now recommends as a new motion, geographic representation be a primary criterion, and secondary criterion require constituency redundancy for applicants. Mr. Garcia seconded this motion. A vote was taken per the Brown Act. The vote was as follows:

Yes: Tina Grande-Field, Keith Nelson, Terry Walling, Lara E. Martin, Martin De Campo, Bob Garcia, Diane Kwasman, Amanda DeLao, Douglas Kroon, Marilyn Robinson, Art Alcaraz

Abstain: None

Motion carried.

Dr. Nelson further requested if The Board could move members from one category to another if they fulfill more than one and only serve one at a time, to which Mr. Neal answered The Board takes action on designation of roles fulfilled, and The Board could select a current member to fulfill more than one category requirement if needed.

Mr. Neal confirmed he understood Dr. Nelson's question, if The Board can at the time of appointing members, could The Board designate multiple category roles of a member at the same time, to avoid disruption in future meetings of a role becoming vacant. Mr. Neal added he had to investigate if there are Brown Act issues with appointing multiple categories without taking it back to The Board or not. Mr. Duran agreed it bears further confirmation, but if CBOC has minimum seven members in each category, it is fairly constituted.

Ms. Martin also recommended the last name of future applicants be included for their review, to which Mr. San Martin explain would require disclosure to the future pool of applicants for their awareness this would be public.

Ms. Martin asked if when the current five members term out, are they required to re-apply to fill these vacancies. Mr. San Martin explained they will review all applicants at that time as possible future applicants.

Ms. Grande-Field addressed Ms. Martin's request for last names, as there could be bias if current members review future applicants and choose individuals they know, to which Ms. Martin consented and suggested instead to number each profile or have no name information at all. Mr. San Martin clarified this request applies to future applicant pools to inform them their full names will be shared by the District, not the current applicants.

Dr. Nelson requested a motion to recommend to the Superintendent to take to The Board that the re-application process be publicly clarified.

Ms. Grande-Field made a motion to have the re-application process clarified by The Board. Mr. Garcia seconded this motion. A vote was taken per the Brown Act. The vote was as follows:

Yes: Tina Grande-Field, Keith Nelson, Terry Walling, Lara E. Martin, Martin De Campo, Bob Garcia, Diane Kwasman, Amanda DeLao, Douglas Kroon, Marilyn Robinson, Art Alcaraz

Abstain: None

Motion carried.

2. **Board of Education Bond Oversight Review and Recommendation**

Ms. Hill explained this presentation repeats what she already reviewed. On February 3, the staff brought recommendations to The Board to expand training, allow additional meetings, allow sub-committees, improve communication, and improve transparency. She further explained more CBOC meetings would be required to get more recommendation on those items, if they wanted to make recommendations and what does would be, and some changes would require adjustment to the current bylaws. Training, Ms. Hill clarified, does not require bylaw changes. If changes are to be made, allow the Committee time to suggest what they may be, and the steps required to make these changes when input is received in order for changes to be made.

The Public had the opportunity to comment on this item.

Public Input

Jason Hunter, Sandy R., Duffy Atkinson

Dr. Nelson addressed the desire for the creation of ad hoc committees, not standing committees, or a clarified committee name responsible for specific items, such as annual reports put together with staff that does not violate bylaws.

Mr. Duran answered that the Brown Act considers standing committees and ad hoc committees to apply to different rules and expounded on the rules, standing committees adhere to the Brown Act as ad hoc committees are not subject to posting requirements. Mr. Duran further offered, under the Brown Act, the ad hoc committee is comprised of less than a quorum, meeting for a specific purpose for a limited amount of time and are not subject to the notice requirements of public. Mr. Duran offered, if it is the direction of the

committee for The Board to allow the creation of an ad hoc committee, legal counsel can draft the language to arrive at the CBOC intent to effectuate that change. Dr. Nelson confirmed this is what the CBOC wants.

Dr. Nelson requests a motion for the creation of ad hoc committee. Mr. Kroon made a motion for this request. Mr. Garcia seconded this motion. A vote was taken per the Brown Act. The vote was as follows:

Yes: Tina Grande-Field, Keith Nelson, Terry Walling, Lara E. Martin, Martin De Campo, Bob Garcia, Diane Kwasman, Amanda DeLao, Douglas Kroon, Marilyn Robinson, Art Alcaraz

Abstain: None

Motion carried.

Dr. Nelson clarified when asked to attend additional meetings, these are not mandatory meetings, but allow Committee to meet more than one quarter.

Ms. Martin made a motion to amend CBOC bylaws, section 6.1 language, replace the comma with a period after the word "year" and strike the rest of the sentence stating, "but shall not meet more frequently than quarterly." Ms. Grande Field seconded this motion. A vote was taken per the Brown Act. The vote was as follows:

Yes: Tina Grande-Field, Keith Nelson, Terry Walling, Lara E. Martin, Martin De Campo, Bob Garcia, Diane Kwasman, Amanda DeLao, Douglas Kroon, Marilyn Robinson, Art Alcaraz

Abstain: None

Motion carried.

Dr. Nelson addressed expanding training, and Ms. Hill explained conversations still need to be had on how to proceed. Dr. Nelson asked if there were comments on training or possible resources would be used to expand training. No comment or motions made on training.

Dr. Nelson addressed improved communication, involving a member to Chair or at the end of each CBOC meeting, who wants to prepare a report that include what the Committee wants to be directly communicated to The

Board at each meeting, to improve the one-year lag in communication. Dr. Nelson suggested a change in the Committee Agenda to include "Request Board Report" to be voted during each CBOC Meeting if a Chair is to meet with The Board to communicate what was voted during each CBOC meeting.

G. Discussion Items

1. Measure O Project Updates

The Public had the opportunity to comment on this item.

Public Comment

None

Mr. San Martin summarized the progress being made with all projects as of May 2022.

Completed Schools: Highgrove Elementary, Harrison Elementary, Jefferson Elementary and Sierra Middle School, Madison Elementary, Sunshine Elementary, Magnolia Elementary and Adams Elementary, Arlington High School, Jackson Elementary, Polytechnic High School.

Projects Under Construction: Alcott Elementary is 80% complete, Fremont Elementary is 60% complete, Monroe Elementary is 70% complete, Longfellow Elementary is 8% complete, and University Height Middle School is 8% complete

Planning Stage: Project Team: in Design phase. North High School: Budget is \$61.5 million, \$50 million from Measure O and \$11.5 million, under DSA review, has a Design Committee, with estimated to start construction in Summer, 2023 and be shovel ready in October, 2023. Eastside Neighborhood School: budget is \$62 million, CEQA stage, expect approval the end of the year then the project moves to the design stage. STEM High School: in planning stage, in middle of CEQA process, anticipate Board approval in 7 months, \$1 million has been designated to get this site shovel ready. Casa Blanca: budget of \$53 million, starting to work with the design team, completed CEQA, the July Board meeting will review specifications, anticipate construction to begin, 2023. Highgrove II: completed CEQA, kick off meeting completed in April, located on owned 13 acres of land, board approved this project being shovel ready which will allow alignment for State Funding, has a Design Committee, \$1 million has been allocated to get this site shovel ready.

The Public had the opportunity to comment on this item.

Public Comment

Jason Hunter

Committee Discussion

Dr. Nelson asked Ms. Alam why there are two books for projects, one for complete projects and one for active projects. Ms. Alam explained that since the original book that included both was so large, the Committee requested in the February meeting these books be separated. The completed book will be shared once a year.

Mr. Garcia concerned about three options for Eastside and addressed option# 2 utilizing a park and the community would then not be able to use. Mr. San Martin explains three options exist for more Board flexibility in location selections and to help consider impacts to the community and resulting mitigation measures that will be considered in final selection; Mr. San Martin further explained the entire park would not be used for the school, that if selected would only be partially closed off, and surrounding streets partially closed off during construction and for the school if selected.

Mr. Alcaraz asked how many students are being bussed out to seven different schools from Eastside, and Mr. San Martin answered about 1400 elementary students. Due to house capacity issues to the number of students, the Eastside project is a starting point that does not impact the community as badly as other options did, which The Board did not approve, and a step in the process for the District to eventually, depending on future funding possibilities and planning, resolve bringing a needed school back to the community.

Ms. Martin asked why there is an option to relocate Lincoln High School, when there is decreasing enrollment in this and other High Schools, and why not integrate part of the campus of other High School for continuation of services for students. Mr. San Martin answered if The Board chose Option# 1 for this project, they would need to explore options as there are currently no plans to integrate, but an option to be discussed at this point in time if this option is selected.

Ms. Martin's then asked why there is no detail presented for Project Team. Mr. San Martin explained this is a Capital Facility Program project not funded by Measure O but that The Board has allocated \$10 million for. This program houses special need 18–21-year-old students that have not graduated to provide them life skills for the real world. These students' current school is portables that were in the last year discovered to be in bad condition and needed removal. The Board authorized at this time to move forward in this project under urgency to be funded by non-Measure O funds, which is why there is no detail presented with Measure O funded projects. Mr. San Martin invited Mr. Martin to attend the

following weeks Board meeting where the staff will share updates and details on this project.

Ms. Martin then asked for information about the state budget and what state funds are available for community schools and if this is included in the Master Plan. Mr. San Martin explained that many projects are multi-funded in the Capital Facility Program by such funds as CFD's, and Developer Fees, and State Funding. Mr. San Martin further explained the state program includes up to 60% funding for modernization projects costs, and up to 50% of new construction project costs, so Eastside, Casa Blanca, and Highgrove II are among the projects the District is seeking state funding for, and in the last recent years the state has passed bonds to provide needed funding. Mr. San Martin confirmed the District is eligible for \$200 million from the state for modernization and new construction and only eligible because of Measure O.

Mr. San Martin addressed to the Committee, regarding questions in recent years if Measure O funds can be used for new construction, and that two different legal opinions had been presented to the committee, from District Bond Counsel, and an Independent Counsel, who both reviewed the same language and both came back and agreed The Board has full authorization and power to use Measure O funds for new construction.

H. Next Meeting

Next meeting will be on September 8, 2022, at 4:30 p.m. at Arlington High School.

I. Committee Member Comments

Dr. Nelson asked when and if Ms. Hill will be going to The Board with their suggestions, and if the Committee will be advised of this. Mr. San Martin explained the urgency and the motions will be shared with The Board, and that the Committee will be notified, to which Dr. Nelson confirmed for the Committee that they can attend if they want.

Meeting adjourned 7:38 pm.