

RIVERSIDE UNIFIED SCHOOL DISTRICT
MEASURE O CITIZENS' BOND OVERSIGHT COMMITTEE MEETING

Wednesday, December 7, 2022

4:30 P.M.

Nutrition Services – Conference Room
6050 Industrial Ave., Riverside CA 92504

Members Present:

Keith Nelson, Martin De Campo, Lara E. Martin, Sandra Roy, Tina Grande-Field, Jessica Gomez, Art Alcaraz

Members Absent:

Amanda DeLao, Douglas Kroon, Cheryl Tavaglione, Marilyn Robinson, Beiwei Tu, Terry Walling

Staff Present:

Sergio San Martin, Ana Gonzalez, Brenda Perez, Superintendent Renee Hill

Consultants Present:

Robert E. Anslow of Atkinson Andelson Loya Ruud; Jennifer Bradlee of Best Best & Krieger; Tarana Alam and Alicia McHenry of KeyAnalytics

A. Call Meeting to Order

The Measure O Citizens' Bond Oversight Committee (CBOC) meeting commenced at 4:47 PM.

B. Welcome and Introductions of Members

Welcome and Introduction of Members

C. Public Comments for Items Not on the Agenda

None

D. Proposition 39 and Citizens' Bond Oversight Committee Training

Mr. Anslow explained he would provide training on Proposition 39 and the Citizens' Bond Oversight Committee. He provided an overview of the history and guidelines of Proposition 39, statutory provisions and ballot statements, the principle purpose of the CBOC, CBOC composition, the appointment of CBOC members, authorized activities of the CBOC, CBOC proceedings, the CBOC website, the school District support of the CBOC, annual audit requirements, and CBOC completion. Mr. Anslow also reviewed the Brown Act.

Committee Discussion and Questions

The committee asked many questions throughout the presentation. Sandra Roy asked who handled the bond money after the sale of bonds. Mr. Anslow explained it was held by the Riverside County Treasurer's Office. Mrs. Roy's asked about expenditures for projects that might not make the most impact or ensured safety requirements. Mr. Anslow explained it was the Board's responsibility to decide how schools are built and contracts are approved. He further elaborated that if a contract is egregiously out of line, it's within the committee's purview to inquire.

As Mr. Anslow reviewed the CBOC appointment of members and group representation. Mrs. Roy asked what prevented a Board member from appointing a family member to the committee without the public's knowledge. Mr. Anslow explained it is legal and within the Board's rights to do if the appointed individual was not an employee, contractor, or consultant, though there could be repercussions from a political standpoint. Mr. Anslow confirmed the committee can request presentations on public contracts and the role of a construction manager.

Lara Martin asked about who Mr. Anslow's clients are, and Mr. Anslow explained his firm is retained by the District. Mr. San Martin elaborated that Mr. Anslow's firm is not the District's bond counsel, but retained for other specific contracts. Mrs. Martin also questioned the bond language and it being vague. Mr. Anslow answered that the language is deliberate to give the District flexibility. Mrs. Martin asked if members were to question something in the report, something not in the report or a carryover question from the last meeting that did not get resolved would the best place to pose this be in the opening public comments, or adding items for next meetings? Mr. Anslow stated it was a procedural question and depended on how the committee conducted business but recommended requesting an unanswered question be added to the agenda for the next meeting.

Mrs. Roy inquired about the bidding process and lease-lease back projects and if it is legal to pay them with bond funds, to which Mr. Anslow confirmed it absolutely is. Mrs. Roy asked if the District has to disclose to the public, and Mr. Anslow explained any lease-lease back awarding has to be approved in an open session Board meeting. Mr. San Martin added that the District has not done any lease-lease back projects. Mrs. Roy expanded on her concerns and having read a document at a finance committee about a lease with Arlington High School and the lease being release in 2021. Mr. San Martin and Mr. Anslow explained that the leases the District has done are not the same as lease-lease back. Mr. Anslow then recommended a presentation be requested on the step-by-step process of the District's bidding process for the committee's understanding, by either Mr. San Martin or a District Construction Manager or both.

Mr. Anslow proceeded to overview the Brown Act, there were no more questions.

Mr. Anslow concluded his presentation and training.

E. Consent Items

1. Approval of September 8, 2022, Committee Meeting Minutes

Dr. Nelson asked for a motion to approve the minutes. Mr. De Campo moved to approve the motion, seconded by Mrs. Gomez.

A vote was taken via roll call vote per the Brown Act. The vote was as follows:

Keith Nelson, Martin De Campo, Lara E. Martin, Sandra Roy, Tina Grande, Jessica Gomez, Art Alcaraz.

No abstentions.

The motion carried.

2. Approval of October 20, 2022, Special Committee Meeting Minutes

Mrs. Martin motioned to approve these minutes from the special meeting, seconded by Mrs. Roy.

A vote was taken via roll call vote per the Brown Act. The vote was as follows:

Keith Nelson, Martin De Campo, Lara E. Martin, Sandra Roy, Tina Grande, Jessica Gomez, Art Alcaraz.

No abstentions.

The motion carried.

F. Reports/Discussion Items:

1. CBOC Chair Update to the Committee

Dr. Nelson's informed he presented the committee's final annual report at the November 17, 2022 Board Meeting. He asked if there were any questions and there were none.

2. Measure O Project Updates and Staff Report

Mr. San Martin reviewed the two books provided to them, one quarterly report for active projects and one for the completed projects. He also stated there was a summary document for the quarterly report. He reviewed which projects are completed and which ones were still under construction. He then reviewed the statuses of the new schools that are to be built in the future, as well as where to find the information of these projects in each book.

Mrs. Alam a consultant for the district introduced herself and explained her role as an additional independent checks-and-balances service to the District's internal financial. She reviewed the financial section of the reports, as well as the project's financial progress since the last meeting.

Committee Discussion

Dr. Nelson asked to confirm if Fremont Elementary was previously visited by the committee, to which staff clarified it was Alcott Elementary that had been visited. Dr. Nelson's asked if Project Team would remain behind the Adult school, to which Mr. San Martin confirmed it would. Mrs. Grande-Field asked about Project Team, which Mr. San Martin explained that the program offers special needs students that have graduated workforce practice and life skills.

Dr. Nelson's third question requested clarification on the STEM schools, to which Mr. San Martin clarified there is an existing Riverside STEM Academy that is a program serving 5th grade through 12th grade, and STEM Education Center will eventually house High School students only. Dr. Nelson then asked if students admitted will increase within the program, to which Mr. San Martin explained the Board will make the decision how STEM Academy students may be backfilled.

Miss Roy asked who was the Architect was for Monroe Elementary after seeing the same rendering for two schools and what appears the same design. Mr. San Martin responded that architects are used for specific campuses, and Miss Gonzalez pointed out to Mrs. Roy where to find the architects names in the Quarterly Report. Mr. San Martin further explained the process of selecting qualifying architects and obtaining Board approval of architects. Mrs. Roy asked if reusing the same design for some buildings would save money, to which Mr. San Martin confirmed it would if the same design was used. Dr. Nelson asked who decides the qualifications for architects and if they are by statue, or county, to which Mr. San Martin answered that architects meet specific criteria, such as being licensed they must know state guidelines.

Mr. Alcaraz asked what is the size of Longfellow Elementary compared to other Elementary schools, to which Mr. San Martin answered is possibly 8 acres and that per the Department of Education is recommended to be 10 acres or more and the average Riverside Elementary school is 9 to 10 acres.

Mrs. Martin commented to Mrs. Alam that some budgets have decreased, to which Mrs. Alam confirmed how some budgets can be lower than originally anticipated once completed, thanks to the well planning of the District, compared to other District's she has seen increase in cost by 20 – 30%.

Community Input

None

3. **Update of Citizens' Bond Oversight Committee Applications**

Mr. San Martin explained this portion and presentation is a follow-up from the Board's discussions and committee that the committee offer input regarding the

CBOC recruitment process and applications received for the five spaces opening in January. Mr. San Martin walked through the current status of active and terming out members, and explained the Superintendent's responsibility to review applications, the Board obligations to select applicants, and membership criteria requirements be met to replace the upcoming vacancies. Dr. Nelson asked for clarification on representation requirements in the application process, and secondly questioned if there is group representation flexibility for members able to be moved from one group to another to meet requirements if current members fulfill more than one category.

Mr. San Martin reviewed the nine potential candidates, and Mrs. Martin said her profile didn't show her as a business owner as another category, to which Miss Bradlee clarified that the business category is for members active in a business organization representing businesses in the community not just a business owner. Similarly, senior citizens category, is a member in a senior citizens organization not just a senior citizen.

Mrs. Roy asked if applications who have previously applied were reached out to as well, so they could be asked if they were interested to re-apply, and Mr. San Martin confirmed they were, but many simply didn't respond.

Mrs. Roy's questioned if there were attendance requirements, as she explained there are three current members who have missed the last three meetings. Mr. San Martin explained there are bylaws requirements that excuse absences. Mrs. Roy reiterated to request what the requirements are and that regardless of reasons for absences, if a member is absent then the member is not fulfilling the taxpayer obligations for representation.

Dr. Nelson then reiterated his question if a member can fulfill multiple group designations. Mr. San Martin explained it was previously stated by this committee that more than one committee member fulfill more than one group so in the circumstance of losing a member, there is backfill for representation and support, and that falls into statutory guidelines. Miss Bradlee further explained legally there is no authority that can decide which member fulfills which group requirement. Dr. Nelson then asked if a member were to drop off mid-term, could a current member be moved to represent the prior members group without recruiting a new member, to avoid a gap. Miss Bradlee confirmed they could if they qualified for this group, without needing to go to the Board about this group change, as long as it fits statutory guidelines.

Mrs. Roy then asked why some applications are in certain groups, to which Mr. San Martin explained that applicants applied and state the category they fall under.

Dr. Nelson asked if it's possible for applications to be submitted to the Board before members term out to avoid a gap. Mr. San Martin confirmed

Superintendent Hill would be presenting her recommendation in January to the Board prior to expiration of member terms. Mr. San Martin explained that the committee's input tonight would be valuable in order to provide a recommendation.

Mrs. Grande-Field asked for a list of non-terming out active members to have a better understanding of representation, to which Mr. San Martin explained that unfortunately the list was not added to in the presentation, but that it would be helpful to have. Mrs. Grande-Field's questioned what feedback would the Board of Education like from the committee. Mr. San Martin explained any input the committee would to provide.

Dr. Nelson commented that he knows seven out of nine applications and he would recommend all of them.

Mrs. Tina Grande-Field commented that the taxpayer group is where there is struggle to fill and she would lean towards recommending the two individuals who applied to fulfill that category.

Mrs. Roy clarified her attendance concern and elaborated on how some committee members have not made attending meetings a priority or serving the community, and requested the discussion on attendance be added to the agenda. Miss Bradlee addressed the concern about members absences, and stated that only without a reasonable excuse could it counts against a current member. But if a member is sick and informed this to the committee, this does not count against current members, regardless if it is consecutive. To which Mrs. Roy stated if there are eight meetings a year, and a member didn't attend seven, then there was no representation from that member. Mrs. Martin commented that absences do happen and it cannot be controlled, and requested for the committee to focus on input on the candidates that have applied and if there is a name on the list that is a concern due to absences.

Mrs. Roy expressed that all candidates be reached out to and be asked about their availability.

Mrs. Grande-Field expressed confusion on why the application process is still open and they are being asked to provide input on the list provided if others could still apply. Mr. San Martin explained it is the District's intent to provide the latest list of applications to the committee, with enough time to finalize the agenda to the Board meeting in January. However, if there are additional applicants considered, then the District will provide copies to the committee to obtain more input. Mr. San Martin stated if there were to be a cutoff date in place, he would need to talk to Superintendent Hill about such a process.

Mrs. Grand-Field advocates a cutoff date that is prior to the committee receiving a list of applications. Mr. San Martin reiterated if her input be that the cutoff date

be one week after tonight's meeting. Mrs. Grande-Field added that all applications submitted after tonight can re-apply next time.

Dr. Nelson reiterated his understanding is that Superintendent Hill provides a recommendation to the Board and they can opt not to accept the recommendations. Mr. Martin de Campo asked if the Board sees Superintendent Hill's recommended and none recommended applications to which Superintendent Hill confirmed they would.

Mr. San Martin clarified Mrs. Grande-Field's input, and asked if her input is to make tonight's meeting be the cutoff date, to which Mrs. Tina Grande-Field stated it depended on what the communication was to the applicants. If staff stated a date for the application deadline, then the deadline should be the cutoff, but if there wasn't a confirmed deadline date, then asked for future applications be sent to the committee before sharing with the Board. Additionally, there should be a confirmed cutoff date so the committee can make recommendations on final applications. Mr. San Martin confirmed there was a requested November 30 submittal date in communication to candidates so there would be time to provide the latest-and-greatest list of applicants ready for tonight's meeting. Staff added that in these email notices, it was requested for applications be received by November, but the District did not state a cutoff date.

Mrs. Roy recommended a consistent process to collect applications with cutoff dates. Mr. San Martin agreed her input is valid.

Mr. Alcaraz recommended it be stated that every year, applications will be accepted until November 30, so the District can have a review process in December, and this take effect in January. Unfortunately, the committee and staff recognized that there are members that term out on various date.

Dr. Nelson commented that due to timing, since the next term is July 2024, he suggested to respond to current applicants that their applicants will remain on file until the next filling in 2024, in case a member drops off.

Mr. De Campo commented to Mrs. Roy's point on screening candidates, to include a service level agreement, such as five or six Board approved questions be added for applicants to fill out to prove commitment or state conflicts in attending, to evaluate if a viable candidate or not. Mrs. Martin stated the applications currently state meetings are every six weeks and that candidates must agree to the bylaws, but the applications could be updated to include these additional questions, though it will be hard to prevent individuals from being absent.

Dr. Nelson stated he could not recall what were the bylaws on absentees, to which Mrs. Alam explained that typically two or more consecutive unexcused

absences meant a member could be replaced with another member. Miss Bradlee confirmed it is the Board who removes committee members.

Mrs. Grande-Field recommended for the committee to express frustration to the Board on certain members lack of attendance.

Dr. Nelson requested the language used towards unexcused absences be changed to unnotified absences so that it could be notified to the committee if there would be a meeting or not and a quorum would be met.

Mrs. Grande-Field input was to recommend that the Board consider the three current CBOC members that have reapplied, as they have proven commitment.

Dr. Nelson asked to add to the agenda, if the Board wants, rules and parameters and potential cutoffs, and suggestions made tonight to be discussed in the next meeting so it can be voted on. Dr. Nelson also asked Miss Gonzalez if she will send out information for the next Board meeting so all who want to attend can to which she confirmed will be in January.

Mrs. Roy requested that the bidding process presentation be added to the agenda and to discuss what the bylaws state about attendance and how this process and expectations can be improved. Dr. Nelson requested to Mr. San Martin if the bidding process would me the committee's training for the next meeting, which Mr. San Martin confirmed it would.

Next Meeting:

Next meeting will be scheduled as a placeholder on March 2nd, at 5:00 P.M. at Fremont Elementary.

Meeting Conclusion:

Meeting adjourned 6:49 P.M.