

WCCUSD
CITIZENS' BOND OVERSIGHT COMMITTEE

MINUTES

Meeting of January 13, 2020

A) OPENING PROCEDURES

B) CALL TO ORDER/PLEDGE OF ALLEGIANCE

Mr. Gosney called the meeting to order at 6:15 pm.

C) ROLL CALL

Present: Sallie DeWitt, Guadalupe Enllana, Don Gosney, Vanessa Hill, (arrived 6:26 pm), Lorraine Humes, Anton Jungherr, Cameron Moore

Absent: Gregg Visineau

8 members ~ 5 required for a quorum; a quorum was present.

Staff Present: Luis Freese, Julio Arroyo, Melissa Payne

Board Liaison: Absent

D) APPROVAL OF AGENDA

The agenda was approved with no objections.

E) PUBLIC COMMENTS FOR ITEMS NOT ON THE AGENDA

None.

D I S T R I C T R E P O R T S

F) BOND PROGRAM PROJECTS STATUS and FINANCIAL REPORTS (Luis Freese/Melissa Payne)

Mr. Freese presented the standard construction reports. Items of note included the need for some rework on the Richmond HS soil compaction, and that the PVHS negotiation with the contractor regarding proposed change orders was ongoing with a goal of completing by February 2020, but with the indication that mediation may be required.

Mr. Jungherr reminded staff that he had requested copies of two checks/invoices on the December 2019 accounts payable check list to Orbach Huff and Suarez related to the Nystrom litigation.

Ms. Payne provided an update on PMP implementation. She outlined the plan to release draft individual sections of the PMP for public comment with a 30-day comment period; the first section has been released. She showed off the new PMP page on the District website which has the functionality for submitting PMP comments on line. There was a discussion about the best way to let the public know that sections were available for comment; it was

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decided that Ms. Payne would alert Mr. Gosney for further distribution to the CBOC, and establish an ability for the public to sign up for email alerts.

G) BOARD OF EDUCATION LIAISON REPORT (Consuelo Lara)

None.

C B O C R E P O R T S

CONSENT ITEMS

The consent items were approved with no objections. Mr. Jungherr noted that several of his record requests on the information request log were now more than 6 months old, which was inconsistent with the policy for expedited processing of CBOC member requests and the timeline for public record requests in general. Ms. Payne stated that staff would endeavor respond to the requests in a timelier manner.

H) ADOPTION OF MINUTES (Cameron Moore)

12.10.19 CBOC Draft Minutes

I) CBOC MEMBER INFORMATION REQUEST LOG (Don Gosney)

01.13.20 CBOC Member Information Requests Status Log

J) APPROVED RECOMMENDATIONS BY THE CBOC (Don Gosney)

01.13.20 CBOC Approved Recommendations

C O M M I T T E E R E P O R T S

K) CHAIRPERSON (Don Gosney)

Mr. Gosney summarized his report.

L) ANNUAL REPORT SUBCOMMITTEE (Cameron Moore)

Mr. Moore provided an overview of the draft interim 2019 annual report that he and Mr. Visineau had prepared at the request of the Committee. He requested approval of the report with the understanding that the financial information would be updated to reflect the December 2019 reports. Mr. Gosney proposed some edits. Mr. Jungherr motioned to approve the report with the following conditions: (1) that Mr. Gosney would request a presentation to the Board at its February 12, 2020 meeting as a "special order of business", (2) the CBOC would issue a press release, and (3) that the financial information would be updated to December 2019, Mr. Gosney's edits would be incorporated, and the authors would be given the authority to make other technical corrections and formatting changes as needed. The motion was seconded by Ms. Hill. Mr. Gosney suggested that the report be presented to the Board at its January 29, 2020 meeting, Mr. Jungherr and Ms. Hill had no objection, and this change was incorporated into the motion. Voice Vote: Yes (7), No (0), Abstain (0), Absent (1, Visineau). The motion passed.

There was a discussion regarding the status of the 2018 annual report. Ms. DeWitt and Mr. Gosney had not been able to meet to resolve open photo and formatting issues. It was the

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consensus of the Committee that Ms. DeWitt and Mr. Gosney resolve the issues so that the 2018 report could be published on or before the interim 2019 report is released, since it makes reference to the 2018 report.

**M) AUDIT SUBCOMMITTEE
(Vanessa Hill, Sallie DeWitt & Anton Jungherr)**

Ms. Hill related that the existing Audit subcommittee members were not prepared to continue their participation on the subcommittee given their length of service and the time commitment involved. If there were no volunteers to replace them, the subcommittee would need to go on hiatus. There was a discussion of the subcommittee duties that would need to be transferred to the full CBOC, mostly related to audit entrance and exit interviews.

Ms. Hill made the following motion: That the District negotiate with Moss Adams, LLP a three-year extension to their current agreement to prepare the Proposition 39 school construction performance audits for the fiscal years 2020, 2021 and 2022. Further that the audit objectives for these three annual audits include (1) the required California Proposition 39 compliance audit objectives; in addition to (2) the Government Auditing Standards program effectiveness and results performance audit objectives as determined by the auditors. Mr. Jungherr seconded the motion. During discussion, Mr. Moore indicated that while there was logic to extending the contract to parallel the completion of the FAI review contract, he felt a 3 year extension was too long and the agreement should be subject to competitive RFP. Mr. Gosney expressed some concerns. Voice Vote: Yes (5), No (1, Moore, Abstain (1, Gosney), Absent (1, Visineau). The motion passed.

Ms. Hill presented the FY2019 audit schedule, and made a motion to accept it, seconded by Mr. Jungherr. During discussion, Mr. Jungherr indicated that Dr. Wold was given a list of questions and comments from the Audit subcommittee after the auditor entrance conference on October 19, 2019 but that there had been no response. He requested that Mr. Gosney follow up with a letter requesting a response. It was noted that the date for the joint meeting with the Board in March might be up in the air. Voice Vote: Yes (7), No (0), Abstain (0), Absent (1, Visineau). The motion passed.

N) ATTENDANCE REVIEW (Don Gosney)

It was noted that Mr. Visineau had missed 6 of the past 12 meetings, including the current meeting. Mr. Gosney provided a summary of a letter he had sent to the Executive Director of the Contra Costa Building Trades Council, requesting either a nominee for the Trades Council position on the CBOC or concurrence with the elimination of this position. There was also a discussion of the CBOC website and the fact there was missing information and broken web links. Mr. Jungherr noted that he had sent a list of corrections some time ago that had not been addressed. Ms. Payne stated that it was the intention of staff to be responsive to CBOC requests and asked that Mr. Jungherr re-submit his list and other members submit corrections as well.

O) BOARD POLICY 7214.2 (Don Gosney)

Mr. Gosney summarized an opinion request he had sent to CBOC attorney Adam Ferber regarding member term limits and Mr. Ferber's response. The question was whether CBOC

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members could serve additional non-consecutive terms after serving 3 consecutive 2-year terms. Mr. Ferber indicated there was no explicit prohibition on further service after the 3 consecutive terms had been completed, and the question is what is a reasonable time gap between the original terms and further service. Mr. Gosney asked for the sense of the Committee whether it made sense for the CBOC to request further amendment to the proposed changes to Board Policy 7214.2 to address this point. Mr. Jungherr felt it was not wise to make further changes at this time, given the late stage of the process. Ms. DeWitt echoed this sentiment. Mr. Gosney acknowledged that there did not seem to be consensus for the CBOC to make the proposal; he might present the request to the Board as an individual.

P) CALENDAR (Don Gosney)

Mr. Gosney referenced the meeting calendar in the agenda packet.

Q) FUTURE AGENDA TOPICS

Ms. Humes suggested CBOC training, perhaps with members presenting individual topics that they were expert on at meetings from time-to-time.

R) ADJOURNMENT

Mr. Gosney adjourned the meeting at 9:20 pm.

Submitted by: Cameron M. Moore, Secretary

February 24, 2020

Handouts

1. Bond Status Update Report January 2020

Bond Project Status Update January 2020

	SITE	PROJECT	Revised Contract Amount	STATUS
CONSTRUCTION	Wilson ES	Campus Replacement	\$ 35,963,093.00	Under Construction
	Richmond HS	Critical Needs	\$ 19,932,841.00	Under Construction
	Crespi MS	Gym Seismic Retrofit	\$ 4,061,455.00	Under Construction
	SITE	PROJECT	Budget	STATUS
PROCUREMENT	Riverside ES	Critical Needs (Soils Stabilization)	\$ 6,900,000.00	Pending Reissuance
	Korematsu MS	Fall Protection	\$ 726,978.00	Summer Project
	SITE	PROJECT	Budget	STATUS
DESIGN	Pinole Valley HS	Fields Restoration & Site Work	\$ 17,173,016.00	DSA Review
	Lake ES	Campus Replacement	\$ 1,000,000.00	RFQ/RFP Bridging AOR
	Stege ES	Critical Needs	\$ 2,900,000.00	Design Development
	Highland ES	Critical Needs	\$ 747,125.00	Summer Project - Assessing Water & Power Upgrades

LEGEND & ACRONYMS

(DSA) Division of the State Architect

(RFP) Request for Proposals

(AOR) Architect of Record