

WCCUSD
CITIZENS' BOND OVERSIGHT COMMITTEE

MINUTES

Meeting of August 10, 2020

A) OPENING PROCEDURES

Note: this meeting was held on line using the Zoom platform and was open to the public to attend.

B) CALL TO ORDER/PLEDGE OF ALLEGIANCE

Mr. Gosney called the meeting to order at 1:06 pm.

C) ROLL CALL

Present: John Anderson, Sallie DeWitt, Guadalupe Enllana, Don Gosney, Lorraine Humes, Anton Jungherr, Cameron Moore

Absent: Ken Burns, Maisha Cole

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

Staff Present: Julio Arroyo, Luis Freese, Melissa Payne

Board Liaison: Absent

D) APPROVAL OF AGENDA

The agenda was approved by consent.

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 project reports. Items of note:

Michelle Obama School is on track for (potential) occupancy by end of September, and full completion by the end of October.

G) CRITICAL NEEDS PROJECT UPDATES (Luis Freese)

At its July 29, 2020 meeting, the Board approved budgets for the final 6 near-term implementation projects from the 2016 Facilities Master Plan (Hercules Middle and High School have been combined to a single project). The budgets were established at the rough order of magnitude estimates from the FMP. Mr. Freese provided an overview of the projects.

H) FACILITIES MASTER PLAN (Melissa Payne)

Ms. Payne provided an overview of the District's proposed process to update the master plan. A key element will be the re-forming of the Prioritization Committee made up of parents and students

WCCUSD
CITIZENS' BOND OVERSIGHT COMMITTEE

of the schools communities and representatives of other stakeholder groups. This committee will review, add, and revise the ranking criteria and weighting to be used in establishing the prioritization and sequencing of projects. Parents and students will be selected through an application process; principals will notify parents of the opportunity at back to school night. Stakeholder organizations will select their representatives. The District will conduct a District wide survey and present the results to the committee at its first meeting in September.

In response to questions from Ms. DeWitt, Ms. Payne indicated that (1) the full FMP update is targeted for early 2021 completion, (2) the prioritization committee will not be subject to the Brown Act, and (3) the committee will be chaired by the soon to be appointed Director of Construction.

There were two question/comments from Leslie Reckler, of the Bayside Council of PTAs: (1) she asked that the Bayside Council be represented on the prioritization committee, and (2) how parents from the Mandarin School would be represented since they are not a part of one of the High School feeder school groupings.

At this point, Mr. Freese and Ms. Payne left to attend another meeting.

I) BOARD OF EDUCATION LIAISON REPORT (Consuelo Lara)

No report.

C B O C R E P O R T S

CONSENT ITEMS

The consent items were approved with no objections.

- J) ADOPTION OF MINUTES (Cameron Moore)**
07.13.20 CBOC Draft Minutes
- K) CBOC MEMBER INFORMATION REQUEST LOG (Don Gosney)**
08.10.20 CBOC Member Information Requests Status Log
- L) APPROVED RECOMMENDATIONS BY THE CBOC (Don Gosney)**
08.10.20 CBOC Approved Recommendations

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

- M) MEMBERSHIP (Cameron Moore)**
Mr. Gosney noted the membership report.
- N) MEMBERSHIP ROSTER (Don Gosney)**
Mr. Gosney noted the current roster.
- O) CHAIRPERSON REPORTS (Don Gosney)**
Mr. Gosney summarized his reports to the Board, which were included in the agenda packet.
- P) CAPITAL IMPROVEMENT BUDGET CONTROL AND EFFECTIVE BOND OVERSIGHT (Anton Jungherr and Sallie DeWitt)**

WCCUSD
CITIZENS' BOND OVERSIGHT COMMITTEE

Mr. Gosney asked that the three elements of this resolution that had been tabled at the last meeting be considered and voted on separately.

Resolved: that in the CBOC's opinion:

The current Board Policy BP 7100 Facilities Planning, Facilities Master Plan should be amended by adding the following Section:

1. A Five-Year Capital Improvement Budget shall be prepared by the Superintendent or designee and presented to the Board of Education in July of each year for action. Said budget will reference the Facilities Master Plan. The Capital Improvement Budget shall include by fiscal year for each of the next five fiscal years all capital improvement projects funded by:

- Fund 21 Building Fund.*
- Fund 25 Capital Facilities Fund.*
- Fund 35 County School Facilities Fund.*
- Fund 40 Special Reserve Fund for Capital Outlay Projects.*

Ms. DeWitt motioned to approve, seconded by Mr. Jungherr. During discussion, Mr. Moore expressed disappointment that the proponents had not followed through on his request that they provide an overview of the deficiencies of the existing Facilities Master Plan, since in his view the FMP has all the elements requested in this new capital budget activity: budgets, a prioritization process, and schedule. Mr. Jungherr motioned to amend the resolution by adding "the Five-Year Capital Improvement Budget shall be included as a part of each annual Facilities Master Plan update." at the end of the third sentence; there was no second on the motion. Roll call vote on amendment: Yes (7), No (0), Abstain (0), Absent (2, Burns, Cole). The amendment passed. Roll call vote on amended motion: Yes (6), No (1, Moore), Abstain (0), Absent (2, Burns, Cole). The amended motion passed.

2. The Board of Education has not yet implemented the 2016 Forensic Accounting Investigation recommendation TC 2-1, nor the District's own recommendation, made in 2016 in response to TC 2-1, specifically to "...complete a comprehensive update of the Facilities Master Plan in 2020."

Ms. DeWitt motioned to approve, seconded by Mr. Jungherr. During discussion, Mr. Moore noted that the District had just presented its plan for the comprehensive update, which would take place in 2020 with completion in early 2021. Mr. Jungherr motioned to table this element of the resolution to the January 2021 meeting, seconded by Mr. Anderson. Roll call vote: Yes (7), No (0), Abstain (0), Absent (2, Burns, Cole), the motion to table passed.

3. 2020 Measure R bond ballot measure language cannot be used as the basis for effective bond oversight and, therefore, the Board of Education has not yet effectively implemented the 2016 Forensic Accounting Investigation recommendation TC 2-2.

Ms. DeWitt motioned to approve, seconded by Mr. Jungherr. During discussion, Mr. Moore reiterated that he would like to obtain Moss Adams opinion on this point when they complete Phase 2 of the FAI implementation review, and that in his view, the ballot language refers to the Facilities Master Plan, which in its detail provides the basis for effective oversight to determine if the District is strictly following the master plan. Mr. Jungherr made a motion to amend by adding as a first sentence "The Facilities Master Plan does provide the CBOC a way to provide effective oversight." The motion failed due to

WCCUSD
CITIZENS' BOND OVERSIGHT COMMITTEE

lack of a second. Roll call vote on original motion: Yes (4), No (3, Anderson, Gosney, Moore), Abstain (0), Absent (2, Burns, Cole), the motion passed.

Q) ANNUAL REPORT UPDATE (Sallie DeWitt and Don Gosney)

Ms. DeWitt noted that August 31 is the due date for contributors to complete the first draft of their assigned sections.

R) AUDIT SCHEDULES (Anton Jungherr)

Mr. Jungherr referenced the audit schedule in the agenda packet.

S) FINANCIAL IMPROVEMENT RECOMMENDATIONS BOND CONSTRUCTION PROGRAM (Anton Jungherr)

Mr. Jungherr made the following motion, seconded by Mr. Gosney:

That the District charge the cost of Proposition 39 school bond financial audits and compliance and effectiveness and results performance audits to the Building Fund (Fund 21) to reduce the burden to the General Fund. That the CBOC Chairperson prepare and issue press releases, opinion editorials, social media comments and letters to the editor to inform the public of the facts in these reports.

Roll call vote: Yes (6), No (0), Abstain (0), Absent (3, Anderson, Burns, Cole), the motion passed.

T) WEB SITE UPDATE (Don Gosney)

Mr. Gosney outlined approaches to updating the website.

U) CALENDAR (Don Gosney)

Mr. Gosney provided an update on planning for the joint meeting with the Board in September.

V) FUTURE AGENDA TOPICS (Don Gosney)

No new topics.

W) ADJOURNMENT

The meeting was adjourned at 3:42 pm.

Submitted by: Cameron M. Moore, Secretary

October 1, 2020