

WCCUSD  
CITIZENS' BOND OVERSIGHT COMMITTEE

**MINUTES**

Meeting of July 13, 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 2:13 pm.

**C) ROLL CALL**

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

Absent: Ken Burns

10 members ~ 6 required for a quorum; a quorum was present.

Staff Present: Luis Freese, Melissa Payne, SeungJa Cha

Board Liaison: Absent

**D) APPROVAL OF AGENDA**

Mr. Gosney noted that this was Ms. Hill's last meeting and thanked her for her service to the Committee. Mr. Jungherr suggested that the agenda be rearranged so that the District reports would be presented last. After some discussion, it was decided to leave the agenda as is, and it 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:

Covid-19 continues to impact the program, primarily the Obama School project. Four workers tested positive, which has led to delay as the electricians are off the site for 2 weeks. There was a discussion of PPE and safety protocols at the site. Mr. Freese was asked whether the \$1.8 million in additional District contingency added to the project budget would be sufficient; he stated there were still too many unknowns to be sure.

The District will be requesting a special Board meeting on July 29 to request budget approval for the remaining 7 projects on the near-term Facilities Master Plan (FMP) and to present the District's plan for the comprehensive update to the FMP. The budget request for the 7 near-term projects would be the same as the estimates from the 2016 FMP. The District characterized the plan for the comprehensive update as building on the work done in 2016: 1) reforming the prioritization

# WCCUSD CITIZENS' BOND OVERSIGHT COMMITTEE

committee (made up of members of the schools community) and conducting a community survey to review 2016 project ranking criteria/metrics and updating them as needed, 2) presenting the new criteria/metrics to the Board for approval, 3) update the project prioritization ranking based on the approved criteria, 4) refine the 2016 project scopes for the priority schools and incorporate new projects related to ventilation and air conditioning, and new technology needs, 5) present options to the Board for approval, and 6) finally, present an implementation plan based on the approved option for Board approval. On the other hand, the District does not intend to revisit the school design and materials standards established as a part of the 2016 plan and while 2016 project scopes would be reviewed and updated as needed, there would not be a “fresh sheet of paper” approach to needs assessment and scoping. A discussion followed where members debated whether the proposed update was in line with the FAI recommendation for a comprehensive update to the FMP every 5 years.

Ms. Payne presented an update on progress of the Program Management Plan (PMP). The overall progress has fallen behind schedule yet there is a target to present the full PMP to the Board for approval by the end of the summer. She noted that there have been 111 individual public comments (included in the agenda packet) on the PMP draft sections, and the District plans to respond to every comment and suggestion.

## **G) 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.

## **H) ADOPTION OF MINUTES (Cameron Moore)**

**06.08.20 CBOC Draft Minutes**

## **I) CBOC MEMBER INFORMATION REQUEST LOG (Don Gosney)**

**07.13.20 CBOC Member Information Requests Status Log**

## **J) APPROVED RECOMMENDATIONS BY THE CBOC (Don Gosney)**

**07.13.20 CBOC Approved Recommendations**

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

## **K) MEMBERSHIP (Cameron Moore)**

Mr. Gosney presented refinements to the attendance report, which members supported. They will be incorporated in the report going forward.

## **L) MEMBERSHIP ROSTER (Don Gosney)**

Mr. Gosney noted the current roster.

## **M) CHAIRPERSON REPORTS (Don Gosney)**

Mr. Gosney summarized his reports to the Board, which were included in the agenda packet.

WCCUSD  
CITIZENS' BOND OVERSIGHT COMMITTEE

**N) CAPITAL IMPROVEMENT BUDGET CONTROL AND EFFECTIVE BOND OVERSIGHT  
(Anton Jungherr and Sallie DeWitt)**

Ms. DeWitt and Mr. Jungherr presented a summary of the proposed resolution (see below). Mr. Jungherr made a motion to approve the resolution, seconded by Mr. Anderson. Mr. Gosney recommended some formatting/language clarification changes which Mr. Jungherr and Mr. Anderson agreed to as a part of the motion.

*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.*

*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."*

*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.*

There were extensive discussions regarding these resolutions. Mr. Moore made a motion to table the proposed motion until our next meeting and requested that the proponents provide a list of deficiencies in the existing FMP, and encouraged other members to review the FMP and Measure R language so that we could discuss whether improvements could be made in the update to the FMP or if new planning documents are required, seconded by Ms. Humes. Roll call vote: Yes (8), No (0), Abstain (1, DeWitt), Absent (1, Burns). The motion to table passed.

**O) ANNUAL REPORT UPDATE (Sallie DeWitt and Don Gosney)**

Ms. DeWitt provided an update on the 2019 annual report process and outlined proposed report section writing assignments.

**P) AUDIT SCHEDULES (Anton Jungherr)**

Mr. Jungherr made a motion that in the CBOC's opinion, the performance of Christy White Associates (financial auditor) and Moss Adams, LLP (performance auditor) for FY2019 was satisfactory, seconded by Ms. Hill. Roll call vote: Yes (8), No (0), Abstain (0), Absent (2, Burns, Humes). The motion passed.

WCCUSD  
CITIZENS' BOND OVERSIGHT COMMITTEE

Mr. Jungherr noted for the record that in his opinion the Board was in violation of the Education Code by not providing the CBOC with responses to any and all findings, recommendations, and concerns addressed in the performance audit within the prescribed 3 months of receiving the audits (per Education Code 15280(a)(2)).

Mr. Jungherr requested schedules for the FY2020 financial and performance audits so the CBOC could coordinate the entrance conferences. Mr. Gosney asked Mr. Jungherr, working through staff, to obtain schedules and coordinate entrance conference dates with the auditors. Mr. Jungherr also requested a copy of the RFP for the performance auditor before it is released, and asked whether the District had established a plan for re-verification of the 29 recommendations deemed not fully verified in Moss Adams Phase I review of FAI recommendations implementation.

**Q) BOARD POLICY 7214.2 UPDATE (Don Gosney)**

Mr. Gosney noted that there was no new action by the Board on the BP 7214.2 update. Mr. Jungherr suggested we add this as a topic to discuss at the joint meeting with the Board in September if such a meeting is scheduled.

**R) RECRUITMENT OF NEW CBOC MEMBERS (Don Gosney)**

Mr. Gosney outlined his efforts to recruit new members. Mr. Jungherr suggested each member be assigned one open position to recruit. Mr. Gosney indicated he would follow up with an email to members with this request. Ms. Enllana suggested we produce a simplified flyer that could be distributed to our networks. Ms. Humes suggested members that represent an organization could recruit within their organization.

**S) NEW MEMBER ORIENTATION PRIMER (Don Gosney)**

Mr. Gosney highlighted the financial report descriptions in the agenda packet that would be added to the orientation primer, and the Committee discussed other suggestions for new member orientation.

**T) MOVING THE CBOC FORWARD (Don Gosney and Lorraine Humes)**

Deferred to a future meeting.

**U) WCCUSD ELECTIONS AND CBOC INDEPENDENCE (Cameron Moore)**

Mr. Moore provided background on the issues and his concerns regarding appearance of conflicts of interest or public perception of lack of CBOC independence from the Board due to members running for the Board or acting as officers of candidate campaign committees. He requested feedback from other members, who indicated that they felt that the issues could be managed as long as we kept vigilant and consider potential recusals depending on specific circumstances.

**V) CALENDAR (Don Gosney)**

No new updates.

**W) FUTURE AGENDA TOPICS (Don Gosney)**

No new topics.

WCCUSD  
CITIZENS' BOND OVERSIGHT COMMITTEE

**X) ADJOURNMENT**

The meeting was adjourned at 5:36 pm.

Submitted by: Cameron M. Moore, Secretary

August 18, 2020