



# WCCUSD

## CITIZEN'S BOND OVERSIGHT COMMITTEE

Kathy Fleming  
Vice Chairperson

Don Gosney  
Chairperson

Cameron Moore  
Secretary

### CHAIRPERSON'S REPORT

04/18/18

#### Part 1

As the newly elected Chairperson of the CBOC and with this being the first meeting to be chaired, I'd like to offer some thoughts on the direction I'd like to see the CBOC headed towards:

#### COMMITTEES

There is a lot of work to be done by this oversight body and no one person can do it all. This is a collaborative body where everyone is expected to help out and share the load.

We all have special skills that, individually, may be helpful but when added to the skills offered by other members of the CBOC, makes us a stronger and more effective body.

I will encourage everyone to serve on as many committees as they can fit into their schedule. If a CBOC member wants to serve, then it will be my job to make sure they can serve.

The only limitations to this are those imposed by The Brown Act limiting the number of CBOC members that can gather and meet at the same time.

#### FUTURE WORK OF THE COMMITTEES

This is what I would like to see our committees do:

**Annual Report:** The Annual Report is a critical piece of information needed not only to archive the history of the Bond Program over the previous year but also to inform the public—the people who will be paying for these schools for decades to come—about how their hard earned tax dollars are being spent.

I know of no one who goes to a newsstand asking for last week's paper. The same is true for the CBOC's Annual Report when it comes out 8 months after the end of the previous year.

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Our Annual Report Subcommittee should strive to have the report available for approval perhaps by the April CBOC meeting. This would require the subcommittee to gather information as the year moves along so at the end of the year it's mostly just editing and formatting.

**Audit Subcommittee:** The Financial and Performance audits are a critical part of the CBOC's mandate. We have always had a keen group of community members that, collectively, often see things that others might not. Without breaking the bank, the subcommittee and the District need to work together to ensure that the public feels confident that their funds are being spent the way they were promised.

While the Performance Audit's main focus is to review the day-to-day operations of the Bond Program, they're also responsible for auditing the CBOC to ensure that they are effective and doing the job the people expect of them. I will ensure that the Performance Auditors will be interviewing members of the CBOC—especially the ones who may feel disenfranchised—so they can perform an efficient audit of the CBOC. We can't get better at what we do if we don't see where we can improve.

**Web Site:** With the complete overhaul of the CBOC's web site, we had to expect there would be the need for future tweaking. The future is now. We need to review what's on our web site, correct the numerous flaws (especially the typos), figure out what's missing and then affect the changes.

**By-Laws:** The CBOC By-Laws are out of date and are missing items that need clarifying. This will be a long and drawn out process but is necessary.

**Site Visits:** The weather has cleared and there are projects we need to see first hand. Pinole Valley HS is key, Wilson is important and Lake as well. We need to look at a few other sites (like Fairmont) and talk to the staff and parents to learn what needs to be done.

Being the Chairperson of the CBOC does not give me the authority to run the committee as if it was my own. As the Chair, I can't do anything without the

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blessing and cooperation of the members of the CBOC. I will need a lot of help and cooperation.

While I'm reaching out for help, it's also important to understand that at times the final decision will rest in my lap.

**Agendas:** I want/need to ensure that items of importance to the CBOC and the community are addressed. At the same time, though, we have limited resources and limited time to accomplish what's before us. This may require the judicious use of our time on the agenda. Some items—like meeting minutes—do not really require discussion and routinely approved as a consent calendar item. The same goes for other items. These items can always be pulled from the agenda if anyone wants to discuss them but I would hope that this privilege would be used judiciously.

**Roberts Rules of Order:** We conduct our affairs using Roberts Rules of Order. To help us understand proper Parliamentary Procedure, we will continue to post some basic rules in our agenda packets.

A couple of items of importance here that need to be clarified:

With abstentions, they are counted **only** for the purpose of determining a quorum. They are neither a 'yes' nor a 'no' vote—they don't count at all for the purposes of determining whether an item passes or not.

With friendly amendments—there is no such thing. Once a motion has been seconded, it no longer belongs to the maker of the motion—it belongs to the body. Motions can be amended but they do not need the blessing of the original maker or seconder. Amendments are voted up or down and then the amended motion is voted up or down.

The microphones spread around the room are there so what we say can be picked up and amplified so everyone in the room can hear what we're saying. These meetings are also recorded so please use the microphones. Remember that sound travels in the direction its pointed so place the mic in front of your mouth and speak into it.

Get the attention of the Chair before speaking and try not to monopolize the conversation.

Please try to keep comments brief.

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When we're discussing items, sometimes everyone agrees with us and sometimes they don't. Please treat everyone with the respect you expect to receive yourself and, if the body goes in a direction other than yours, take this with grace and move on.

**Membership:** By the end of April we will be down nearly 40%. We need to get the word out and entice others to apply. We need to use the media and social media tools available to us. I have reached out to the Building Trades Council and the employees groups to ask if they really feel the need to have a guaranteed seat at the table. I've always been against the idea of special interest groups being given special accommodations (that includes the five mandated seats). If they're agreeable, then we can petition the Board to reduce the number of seats at the table by two.

I look forward to working not only with the CBOC members but with Staff as well as we continue with the limited Bond Program projects in fronts of us.





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### **CHAIRPERSON'S REPORT**

**04/18/18**

#### **Part 2**

**At the Board meeting of March 21 I reported on behalf of the CBOC. Here is the text of my report:**

As the Board knows, but perhaps not the public, the CBOC and the Board held a joint meeting last week.

Aside from having presentations on the Performance and Financial Audits, we discussed the frequency of CBOC meetings and the value of joint meetings.

Since that meeting, there have been discussions amongst CBOC members about the purpose of the CBOC and what happens when the independence of the CBOC is compromised.

When Proposition 39 was passed nearly 20 years back, one of the provisions required that when bonds are passed, there must be an independent body of citizens using a set of checks and balances overseeing the spending of the bond funds.

The Citizens Bond Oversight Committee has zero authority to take action other than to alert the public of any findings that comes with that oversight. They cannot direct how the bond monies are spent, how the bonds are sold, or where the bond funds go.

That kind of control sits in the laps of the elected Board members.

What everyone needs to keep in mind, though, is that in almost all instances, the elected representatives of the people are taking actions on recommendations of the District staff.

So, in reality, the CBOC is not just looking over the collective shoulders of the Board but also of the people that the Board hired to oversee the day-to-day implementation of the Bond Program.

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So when the Board is discussing recommendations from District staff to have the CBOC meet every other month or even quarterly—instead of monthly—and to minimize the ability of the CBOC members to meet and discuss the Bond Program with Board members, there is a concern that the independence and effectiveness of the CBOC is being coopted.

As CBOC member Sallie DeWitt recently said: “The CBOC is a “watch-dog” overseeing the bond fund “hen house” which is managed by the District. The CBOC is supposed to exercise critical oversight concerning District procedures and output. Thus, District “foxes”, if any, shouldn’t have any say in how the CBOC goes about doing its job, including how often we meet. In making decisions about the CBOC’s policies and procedures, the Board should act strictly in the best interests of the voting Public, the true “stakeholders” when it comes to how the CBOC operates. Given reasonable budget constraints, the Board should allow the CBOC as much time and resources as the CBOC requests, deferring as much as possible to the CBOC, not the District.”

As it stands now, it’s District staff that decides whether the CBOC is to receive information they believe to be critical to that oversight. Just recently, I asked for 16 consecutive months for specific information and once it was provided, it turned out that nearly three quarters of a million dollars in Bond funds was spent when it was supposed to have come out of the classrooms and the teacher’s pockets instead.

It took nine months of requests to finally get a request for information provided to us by staff and we’re still not convinced that the information is complete.

And with another set of information, requests were made since October of 2016 for specific detailed information and it still has not been provided.

Here and now is not the right place to go into the details of those requests but these are just a few of the examples of things that Prop 39 created the CBOC to review but the very people they’re supposed to be overseeing are the keepers of the data.

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And these same District staff wants to minimize our ability to meet to even review the limited information we're provided? They're advising you that meeting with us twice each year is too much?

As we told the Board last week, if a CBOC member wants to have a conversation with the Board about a Bond issue, they can try to call you but most of you are not all that easy to reach by phone. They can try to email you but getting reply emails can be a joke.

They can sign up to speak at a Board meeting but they're limited to a 2 minute one way conversation. There's no actual dialogue or interchange of ideas.

That's where the value of the joint meetings can benefit the people—the ones that elected the Board and the ones the CBOC members are supposed to represent.

We just hope that as the Board considers policy revisions regarding the CBOC, they don't take action that would suggest to the public that they don't want the people's representatives looking over their shoulders. For the next several decades we all get to pay for the forensic audit that came as a result of the PERCEPTION that there was no transparency or oversight. It cost the jobs of dozens of teachers to pay for legal bills, consultants and audits over the same thing.

Before I walk away tonight, I want to leave you with what was written on a sign above the throne of the man responsible for the Jonestown massacre: “Those who forget the past are destined to relive it.”

A handwritten signature in blue ink that reads "Hon Goosey". The signature is written in a cursive, flowing style.