

# WCCUSD Governance Subcommittee

Alvarado Adult Education Campus

October 5, 2015

## Minutes

Approved October 21, 2015

### I. Opening Procedures

#### A. **Roll Call and Introductions**

The meeting was called to order at 12:07 PM by Committee Chair Valerie Cuevas.

**Committee Members Present:** Valerie Cuevas, Todd Groves

**Other Attendees:** Bruce Harter, Superintendent, Debbie Haynie, Executive Secretary; Lisa LeBlanc, Associate Superintendent Facilities, M & O, Bond

#### B. **Approval of Agenda**

The agenda was approved.

#### **Approval of September 21, 2015 Minutes**

The Minutes of September 21, 2015 were approved.

### II. Discussion Items

#### A. **Membership Composition, Committee Size and Appointment Process for the Citizens Bond Oversight Committee (CBOC)**

Chairperson Cuevas summarized input from subcommittee meetings, three CBOC members, the joint meeting of the Board and CBOC, as well as use of guiding questions as a starting point to formulate a recommendation to the Board of Education regarding the composition, size and appointment process of the CBOC. She stated that suggestions have ranged from leaving the composition as it currently stands to converting non-required seats to community at-large positions, decreasing seats to 15 or retaining the current 19. She said this committee's consideration would include retention of the Proposition 39 required positions.

Ms. Cuevas and Mr. Groves agreed on objectives to formulate a recommendation to the Board and develop the required response to the Contra Costa County Civil Grand Jury.

#### **Public Comment:**

Mr. Anton Jungherr provided an updated report on history of the CBOC, including Measure E of June 1998. Mr. Jungherr recapped CBOC statute requirements under Proposition 39. He further spoke about the Grand Jury's finding concerning potential conflict of interest and the recommendation to eliminate specific seats. He spoke about the legal definition of conflict of interest as well as mention in the State Attorney General's report on common law doctrine regarding duty of public officials to act on behalf of the public. He concluded by sharing his recommendations and urged this committee to delay action allowing time for the CBOC to offer an opinion.

#### B. **Discussion / Approve recommendation to the Board**

Chairperson Cuevas said that she preferred to have a recommendation for the CBOC to consider and offer an opinion in response, should the committee choose to do so. She would be willing to

delay Board action to give the committee time to process and develop an official opinion.

Chairperson Cuevas said that she agreed that the current size of the 19 facilitated the committee work and that she recommended retaining as is. Mr. Groves was in agreement.

Ms. Cuevas turned the discussion to the composition of the committee and consideration of at-large seats with the Board's role to vet and approve of nominees. She asked about the seats designated for city or unincorporated area representation and the premise behind the current configuration to be inclusive of stakeholders in the community. She was in support of changing the five city seats to have residency requirements, not coming from a city council appointment, in order to eliminate the political aspect of the appointment. She also supported the remainder of the seats be converted to at-large in general with the goal of eliminating any potential conflict of interest.

Mr. Groves shared his thoughts about precluding elected officials from serving, as well as appointed members' ability to serve the public interest without potential conflict of interest. Mr. Groves shared his thoughts that Board appointed members provided opportunity for a point of contact and maintaining a deeper level of communication with the appointee. He said he was of the opinion that he was better informed by maintaining communication with his appointee than he would be without the ability to appoint. Discussion continued about communication mechanisms and perception of conflict of interest.

Chairperson Cuevas said she was of the mind that overall reform in the structure of the CBOC was necessary to reassure voter confidence, eliminating any suggestion of undue influence. Further discussion included communication opportunities and how the CBOC engaged the Board. Mr. Groves was in agreement to surrender Board appointments in order to build public trust.

Chairperson Cuevas proposed converting the five Board member appointed seats and the seven City Council/Supervisor seats to at-large positions for residents thereby offering geographic equity, with no elected officials serving or city council appointments. Superintendent Harter suggested balancing appointments by population with three seats for Richmond since it has a larger representative population than the other four cities and unincorporated areas. Ms. Cuevas also supported converting the Building Trades and Local One seats to at-large positions. Mr. Groves took acceptance saying he felt it important to have voices for labor as an added dimension to the dialogue of people doing the work. Ms. Cuevas and Mr. Groves differed in opinion on this matter and compromised by agreeing to offer recommendations to include, as well as exclude, the Building Trades and union seats.

Chairperson Cuevas addressed the appointment process with the potential applicant's self-nomination upon completion of the application form, review by the Facilities Subcommittee for recommendation, and agenda for Board Education approval. She proposed that all seats transition to new roles at the conclusion of current terms. Mr. Groves was in agreement.

Superintendent Harter will draft the proposed recommendations and opportunity will be provided for the CBOC to consider at their November 4<sup>th</sup> meeting and formally respond to the Board.

### **III. Adjournment**

The next meeting of the Governance Subcommittee was scheduled for Monday, November 16, 2016 at 6:30 PM at the Alvarado Adult Education campus. The October 19, 2015 meeting was cancelled.

Chairperson Cuevas adjourned the meeting at 1:07 PM.