

WCCUSD Governance Subcommittee

Alvarado Adult Education Campus

July 11, 2016

Minutes

Approved August 15, 2016

I. Opening Procedures

A. **Roll Call and Introductions**

The meeting was called to order at 6:33 PM by Chairperson Valerie Cuevas.

Committee Members Present: Valerie Cuevas, Todd Groves

Staff Attendees: Attorneys Harold Freiman and Ellen Denham; Ken Whittemore, Assistant Superintendent; Debbie Haynie, Executive Secretary

B. **Approval of Agenda**

Public Comment:

Anton Jungherr recommended adding a section future agendas allowing public comment for items not on the agenda.

Following correction of item numbering, the agenda was approved by consensus of the committee members with the addition of an item for public comment on matters not related to the current agenda items.

C. **Approval of Minutes**

The Minutes of June 13, 2016 were approved by consensus of the committee members.

II. Discussion Items

A. **Board Policy on Campaign Contribution Limits for School Board Elections**

Public Comment:

Don Gosney spoke about contributions to support elected officials.

Anton Jungherr spoke in support of the proposed resolution.

Jonathan Wright, Lead Representative for the School Supervisors Association IFPTE, expressed concerns.

Tom Panas supported the resolution proposal and asked about implementation timelines.

Ben Steinberg encouraged passage of the resolution.

Linda Ruiz-Lozito spoke in support of the resolution in order to avoid any perception of corruption.

Committee Discussion:

Chairperson Cuevas provided context for the subject and remarked about inconsistencies in state law around enforcement of campaign contributions.

Lozano Smith Attorney Harold Freiman provided information and background about government code not applying to school districts. He detailed the criteria for a strict scrutiny standard regarding campaign contributions to tailor as narrow a scope as possible in order to stand to a legal challenge. Mr. Freiman restated potential issues such as public input and other ordinances to identify ills to be cured with this proposed policy. He and Ms. Denham reviewed the policy revision in detail. They also referred to potential state legislation currently under consideration, AB-2523 Local Elective

Offices: Contribution Limits making its way through the legislature, as mentioned earlier by Mr. Jungherr. He said that the proposed policy incorporated language that would be in line should the legislation be enacted.

Committee Discussion:

Discussion took place about contributions and candidate expenditures, as well as free speech matters. Mr. Groves had questions about the potential to limit employee contributions. Mr. Freiman provided clarification.

Discussion continued regarding violation enforcement and the investigative process. Mr. Freiman shared that once the resolution was approved by the full Board that action would take effective immediately.

III. Discuss / Approve Next Steps

A. Board Policy on Campaign Contribution Limits for School Board Elections

Public Comment:

Mr. Jungherr remarked that the presentation by legal counsel effectively reflected the concerns and urged consideration by the Board.

Mr. Gosney spoke about the costs of sending mailers to the 110,000 voters in the community and that the proposed contribution limits would be prohibitive.

Valerie Snider said she supported the resolution as it would remove the appearance of corruption.

Committee Discussion:

Chairperson Cuevas had concerns about the section regarding the enforcement mechanism and asked counsel to strike the section putting responsibility upon the superintendent to investigate allegations of violation. She continued to speak of the matter as a value statement in putting forth an applicable resolution and the importance of addressing how best to serve children.

Mr. Groves said he did not see that this addressed campaign expenditures and that the enforcement language relied on a voluntary honor system. Discussion continued about waiting for legislative action and the matter becoming a campaign issue for candidates.

Chairperson Cuevas recommended forwarding the proposed resolution to President Enos for consideration by the full board on a future agenda. She also asked Mr. Freiman to make the appropriate revisions discussed during the meeting.

IV. Public Comment for Matters Not on the Agenda

Mr. Jungherr had several recommendations and asked for consideration to include remarks to public comments for items not on the agenda, revisions to the speaker cards, meeting procedures, time allotted for individual public comment, Spanish translation for the audience, and how consent items are handled.

V. Adjournment

Chairperson Cuevas adjourned the meeting at 8:10 PM with the tentative scheduling of the next for August 8, 2016 at 6:30 PM.