WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
Citizens’ Bond Oversight Committee
for Measures M, D, J, D (2010), and E (2012)
January 29th, 2014
Meeting: 6:00 PM – 8:00 PM
Facilities Operations Center, 1400 Marina Way South
Richmond, CA 94804

APPROVED MINUTES

Handouts and other referenced material for this meeting can be found online (Google Drive) at: 
http://goo.gl/EwwZLE

Listed times are for a recording available with other recent recordings at: http://wccusd-cboc.podomatic.com

Items below correspond to agenda items

A. OPENING PROCEDURES

A.1 Call to Order
The meeting was called to order at 6:12pm.

A.3 Roll Call [00:00:27 in recording, approximately]
Present: Tom Waller, Tim Warner, Tashia Flucas, Orlandus Waters, Ken Jett, Julio Arroyo, Ivette Ricco, Dennis Hicks, Charles Cowens, James Oakley, Kelvin Love, Marianne Harrison, Stephen Purser, Maureen Toms

Absent: Norma Martinez-Rubin

Ms. Ricco announced that Ms. Martinez-Rubin had previously notified her that she would be unable to attend. Ms. Ricco also announced that Peter Chau had resigned before the meeting.

A.4 Approval of Agenda [00:02:07]
It was moved by Mr. Love and seconded to approve the agenda. The agenda was approved 14-0-0.

Yes: Waller, Warner, Flucas, Waters, Jett, Arroyo, Ricco, Hicks, Cowens, Oakley, Love, Harrison, Purser, Toms. Absent: Martinez-Rubin

A.5 Approval of Meeting Minutes for October 16, 2013 and December 4, 2013 [00:03:30]
It was moved by Mr. Love and seconded to approve the minutes for October 16, 2013. The minutes were approved 10-1-3.

It was moved by Mr. Waters and seconded to approve the minutes for December 4, 2013. The minutes were approved 10-1-3.

Yes: Waller, Warner, Flucas, Waters, Arroyo, Ricco, Hicks, Cowens, Oakley, Love. No: Jett.
Abstain: Harrison, Purser, Toms. Absent: Martinez-Rubin

A.6 Chair’s Report [00:06:50]
Ms. Ricco welcomed all of the new members of the committee.

She explained she had met with Todd Groves, Bill Fay, and Dr. Harter to discuss a wide array of CBOC topics. One of the topics was the CBOC website.

Ms. Ricco went over two items (Chair’s Report on her meeting and a handout response to her letter about the CBOC website).

Ms. Ricco mentioned that Mr. Warner had suggested that training be offered in modules. Ms. Ricco stated that Dr. Harter offered to create a tour calendar. Ms. Ricco stated that Mr. Fay wanted to be the point person to create and implement the CBOC member workshops. Ms. Ricco asked that the committee think about what they would need out of these trainings, and she would then forward the information to Mr. Fay.

Ms. Ricco stated that one of the new CBOC members was dissatisfied with the most recent CBOC member orientation. She discussed how Mr. Cowens had offered an informal orientation to new members, and asked that the district let her know how they felt about the CBOC holding their own CBOC orientations. She discussed having an informal form that all CBOC members complete with their skills, background, and interest in ad-hoc committees. She discussed wanting to visit other sites since a site had not yet been seen since the visit at De Anza last year.

Mr. Waller asked what the protocol was on feedback for her report. Ms. Ricco asked that they keep discussion to a minimum. Mr. Jett asked if the Audit was discussed during the meeting with the District. Ms. Ricco said it was not discussed. Mr. Waller suggested that readily accessible technology like Google Docs be used to distribute information to the committee.

A.7 Secretary’s Report [00:27:28]
Mr. Cowens explained the absence-dismissal process. In reviewing the attendance handout, he pointed out that Mr. Arroyo had had 5 absences in the last 12 meetings.

Mr. Cowens reviewed the roster handout. He pointed out that there were vacant positions for nomination by Hercules, San Pablo, Richmond, and now John Gioia. He also pointed out that the following members had terms ending in 2014: Mr. Warner (March) and Ms. Ricco (June).

Ms. Ricco would term out under current board policy because this is her second term, so Bill Fay offered to put the topic of extending the member terms on the Board of Education meeting agenda. Ms. Toms suggested that, if this wasn’t resolved by the next CBOC meeting, the topic be agendaized for the committee.
Mr. Jett asked about improving the rules for attendance tracking. Mr. Cowens said he hadn’t made up a proposal yet.

Mr. Waller asked what the procedures were to communicate with the city councils for filling these slots. Mrs. Ricco stated that it was a facet of her being chair of the committee to communicate on a regular basis with city officials about this.

A.8 Review of Status of Requests from Committee to Staff [00:37:30]
Ms. Ricco discussed the spreadsheet created by Mr. Fay to track the CBOC’s information requests. Mr. Fay said that, in order to re-design the website, it would require putting out an RFP taking up to 18 months to complete. Concerning site visits, he pointed out that there is less daylight time in the winter.

He discussed the spreadsheet he had created since the last CBOC meeting on December 4. 21 requests have been submitted, many of which take 2-3 days response time.

Mr. Jett asked why there wasn’t a procedure in writing for submitting requests to Mr. Fay. Mr. Fay said that the process had been described in previous meetings: each member can e-mail him directly copying his administrative assistant, Silvia Garfield, with the subject line reading “CBOC Request”. Ms. Ricco had additionally requested that the committee submit requests to her, and then she would forward them to Mr. Fay. Mr. Jett stated that the process could delay the responses and requested that all members be allowed to contact Mr. Fay directly. Ms. Harrison suggested that the online FAQs be numbered and dated.

Mr. Oakley discussed the Request for Information process. A form would be filled out and a response posted within seven days. Mr. Love stated that he had a Request for Information form that he would be happy to share with the committee.

Ms. Ricco asked that it be made clearer in the online document who was asking the questions, when they were asked and answered, and who was answering the questions. Mr. Cowens suggested that the spreadsheet be e-mailed out with the agenda and the minutes.

Mr. Waters asked Mr. Fay if it was a precedent that it take 15 months for the website to be modernized. Mr. Fay said he would be happy to put a Request for Proposal to find a qualified consultant.

Mr. Jett stated that it was time to get a legal opinion on what can or cannot be done per the Brown Act. Mrs. Ricco stated that she would be sending Mr. Fay a request to setup up a Brown Act training.

A.9 Public Comment for Items Not on the Agenda [01:07:30]
None.

B. BOARD LIASON REPORT

B.1 Board Report [01:07:43]
None.
C. STAFF REPORTS

C.1 Primavera Update [01:08:15]
Mr. Fay introduced Mr. David Page to present. He covered material in 3 handouts: a Primavera presentation, a sample monthly report, and a list of active projects.

Mr. Waters asked Mr. Page about De Anza not being on the list. Mr. Page stated that De Anza was completed. The phase that Mr. Waters asked about was not on the report because it was still in the design process but would be showing up in the upcoming months.

Mr. Jett questioned the claim by Mr. Page that Primavera was “up” since January 2011 since the 2012 audit had said it was not up. Mr. Page said the audit was incorrect. Mr. Jett said the committee had been given a variety of dates for Primavera to be up.

Mr. Fay stated that the new accounting software, Munis, was now “talking” with Primavera for real-time information. He discussed how the Munis system does not yet have real-time information, which may show as discrepancies compared to Primavera. Mr. Fay said that the committee may now have access to Primavera, but disclosed that the financials were not yet real-time due to manual resolutions that needed to be done with the new accounting system.

Ms. Toms asked for clarification about which performance audit was being discussed in terms of which completion date.

In answering a question from Mr. Oakley, Mr. Fay discussed putting construction schedules on the website so that the public would be able to get information on the sites in their area and discussed the general issue of presenting relevant information for the public. Mr. Cowens asked about better canned reports for the committee as an alternative to direct access to Primavera.

Mr. Waller requested clarification on the numbers in the sample report: whether or not they represented the “all-in” budget, or if it referred to a specific phase.

C.2 SGI Contract
No report, but there was a handout.

D. REPORTS

D.1 Audit Subcommittee [01:32:50]
Mr. Waters reported that the draft performance audit had been delivered to the CBOC and the District. The subcommittee would meet to review the audit. He also pointed out that the RFP for a new performance audit contract was being developed.

D.2 By-Laws Subcommittee [01:44:38]
Mr. Cowens reported that, in addition to the by-law changes in the agenda, he would bring a change in the absence rules as suggest by Mr. Jett and a change to the by-laws amendment process, at future meetings.

D.3 Annual Report Subcommittee [01:45:50]
Mr. Warner reported that he would gear up for the next annual report after the new audit had been reviewed.

D.5 CBOC Website “Public Information” Subcommittee [01:47:00]
Ms. Ricco said this subject had already been discussed.

D.6 Ad Hoc Key Performance Indicators Subcommittee [01:47:45]
Mr. Waller said that he would wait till the next meeting to report.

E. ACTIONABLE ITEMS

E.6 Election of Officers [01:47:28]
Mr. Cowens nominated Ms. Ricco to be Chair with a second. Ms. Ricco mentioned that her term ends in June. Mr. Waller asked if the committee was operating under the assumption that the District would suggest to the Board that members be allowed a third term.

The nomination was approved 14-0-0.

| Yes: Waller, Warner, Flucas, Waters, Jett, Arroyo, Ricco, Hicks, Cowens, Oakley, Love, Harrison, Purser, Toms. | Absent: Martinez-Rubin |

Mr. Jett nominated Mr. Waters to be Vice Chair with a second. The nomination was approved 14-0-0.

| Yes: Waller, Warner, Flucas, Waters, Jett, Arroyo, Ricco, Hicks, Cowens, Oakley, Love, Harrison, Purser, Toms. | Absent: Martinez-Rubin |

Mr. Jett nominated Mr. Cowens to be Secretary with a second. The nomination was approved 14-0-0.

| Yes: Waller, Warner, Flucas, Waters, Jett, Arroyo, Ricco, Hicks, Cowens, Oakley, Love, Harrison, Purser, Toms. | Absent: Martinez-Rubin |

E.1 Attendance Review [01:51:50]
Mr. Cowens stated that Mr. Arroyo had sufficient absences to be removed from the committee. No action was taken.

E.5 Training [01:52:23]
Ms. Ricco suggested creating an ad hoc training subcommittee to develop a CBOC workshop and orientations. Mr. Waller, Ms. Toms, and Mr. Jett volunteered to serve on such a subcommittee.

It was moved by Mr. Cowens and seconded to establish such a subcommittee. The motion was approved 14-0-0.

| Yes: Waller, Warner, Flucas, Waters, Jett, Arroyo, Ricco, Hicks, Cowens, Oakley, Love, Harrison, Purser, Toms. | Absent: Martinez-Rubin |

E.6 Project Tours [01:55:00]
Ms. Ricco asked about creating an ad hoc subcommittee to compile a list and calendar of committee site visits. Ms. Flucas and Mr. Oakley volunteered to serve on such a subcommittee.
It was moved by Mr. Cowens and seconded to establish such a subcommittee. The motion was approved 14-0-0.

Yes: Waller, Warner, Flucas, Waters, Jett, Arroyo, Ricco, Hicks, Cowens, Oakley, Love, Harrison, Purser, Toms. Absent: Martinez-Rubin

E.4 Proposed By-Law Changes [01:56:28]
Mr. Cowens pointed out that the item had been skipped over. He asked that this topic be tabled until the next meeting. Ms. Ricco tabled the item.

F. DISCUSSION ITEMS

F.1 CBOC Ad Hoc Committees [01:57:38]
Ms. Ricco asked the committee if there were areas the committee felt needed attention. Mr. Oakley suggested looking at improvements in the overall process for developing construction projects. Mr. Fay said the Board of Education supported the Design-Bid-Build process and that private and public construction processes were different in many ways. Ms. Ricco asked Mr. Oakley to flesh out his idea more and then bring it back.

F.2 Budget Adjustments to Bond Program (tabled at December Meeting) [02:09:19]
Ms. Ricco tabled this topic for the next meeting. She expressed dissatisfaction with the written response handout as an answer.

Mr. Fay then proceeded to expand on his written response. He stated that the WCCUSD program is not budget/schedule-driven, but scope-driven. For each project, the district adds in whatever the community requests. The district is also constantly improving how schools get built. All of this drives up costs.

According to Mr. Fay, the district does NOT do value engineering. Under this system, once a budget is established, amenities are taken out of the construction plan. Mr. Love asked if the District absorbed the costs associated with errors and omissions in drawings. Mr. Fay said, generally, yes. Mr. Jett asked whether this policy was behind the 29 million of unfunded liabilities mentioned in last year’s audit report. Mr. Fay discussed how the District just sells more bonds to cover the unmet costs of projects.

G. FUTURE MEETINGS

G.1 Next Meeting: February 19, 2014 [02:20:12]
Ms. Ricco changed the next meeting to February 26.

G.2 Future Agenda Items [02:22:45]
Ms. Toms requested 3 items: RFP for the website, increasing the number of member terms, and Brown Act training.

H. Good of the Order
I. Adjournment
The meeting was adjourned at 8:35pm.