

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

8 **APPROVED MINUTES**

9 Handouts and other referenced material for this meeting can be found online (Google Drive) at:

10 <http://goo.gl/EwwZLE>

11 Listed times are for a recording available with other recent recordings at: <http://wccusd->

12 cboc.podomatic.com

13 Items below correspond to agenda items

14 _____
15 **A. OPENING PROCEDURES**

16 **A.1 Call to Order**

17 The meeting was called to order at 6:12pm.

18 **A.3 Roll Call [00:00:27 in recording, approximately]**

19 **Present:** Tom Waller, Tim Warner, Tashia Flucas, Orlandus Waters, Ken Jett, Julio
20 Arroyo, Ivette Ricco, Dennis Hicks, Charles Cowens, James Oakley, Kelvin Love, Marianne
21 Harrison, Stephen Purser, Maureen Toms

22 **Absent:** Norma Martinez-Rubin

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

26 **A.4 Approval of Agenda [00:02:07]**

27 It was moved by Mr. Love and seconded to approve the agenda. The agenda was
28 approved 14-0-0.

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

31 **A.5 Approval of Meeting Minutes for October 16, 2013 and December 4, 2013**
32 **[00:03:30]**

33 It was moved by Mr. Love and seconded to approve the minutes for October 16, 2013.
34 The minutes were approved 10-1-3.

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

37 It was moved by Mr. Waters and seconded to approve the minutes for December 4,
38 2013. The minutes were approved 10-1-3.

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

41 **A.6 Chair's Report [00:06:50]**

42 Ms. Ricco welcomed all of the new members of the committee.

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

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

47 Ms. Ricco mentioned that Mr. Warner had suggested that training be offered in
48 modules. Ms. Ricco stated that Dr. Harter offered to create a tour calendar. Ms. Ricco
49 stated that Mr. Fay wanted to be the point person to create and implement the CBOC
50 member workshops. Ms. Ricco asked that the committee think about what they would
51 need out of these trainings, and she would then forward the information to Mr. Fay. Ms.
52 Ricco stated that one of the new CBOC members was dissatisfied with the most recent
53 CBOC member orientation. She discussed how Mr. Cowens had offered an informal
54 orientation to new members, and asked that the district let her know how they felt
55 about the CBOC holding their own CBOC orientations. She discussed having an informal
56 form that all CBOC members complete with their skills, background, and interest in ad-
57 hoc committees. She discussed wanting to visit other sites since a site had not yet been
58 seen since the visit at De Anza last year.

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

64 **A.7 Secretary's Report [00:27:28]**

65 Mr. Cowens explained the absence-dismissal process. In reviewing the attendance
66 handout, he pointed out that Mr. Arroyo had had 5 absences in the last 12 meetings.

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

71 Ms. Ricco would term out under current board policy because this is her second term, so
72 Bill Fay offered to put the topic of extending the member terms on the Board of
73 Education meeting agenda. Ms. Toms suggested that, if this wasn't resolved by the next
74 CBOC meeting, the topic be agendaized for the committee.

75 Mr. Jett asked about improving the rules for attendance tracking. Mr. Cowens said he
76 hadn't made up a proposal yet.

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

80 **A.8 Review of Status of Requests from Committee to Staff [00:37:30]**

81 Ms. Ricco discussed the spreadsheet created by Mr. Fay to track the CBOC's information
82 requests. Mr. Fay said that, in order to re-design the website, it would require putting
83 out an RFP taking up to 18 months to complete. Concerning site visits, he pointed out
84 that there is less daylight time in the winter.

85 He discussed the spreadsheet he had created since the last CBOC meeting on December
86 4. 21 requests have been submitted, many of which take 2-3 days response time.

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

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

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

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

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

108 **A.9 Public Comment for Items Not on the Agenda [01:07:30]**

109 None.

110 **B. BOARD LIASON REPORT**

111 **B.1 Board Report [01:07:43]**

112 None.

113 **C. STAFF REPORTS**

114 **C.1 Primavera Update [01:08:15]**

115 Mr. Fay introduced Mr. David Page to present. He covered material in 3 handouts: a
116 Primavera presentation, a sample monthly report, and a list of active projects.

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

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

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

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

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

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

139 **C.2 SGI Contract**

140 No report, but there was a handout.

141 **D. REPORTS**

142 **D.1 Audit Subcommittee [01:32:50]**

143 Mr. Waters reported that the draft performance audit had been delivered to the CBOC
144 and the District. The subcommittee would meet to review the audit. He also pointed out
145 that the RFP for a new performance audit contract was being developed.

146 **D.2 By-Laws Subcommittee [01:44:38]**

147 Mr. Cowens reported that, in addition to the by-law changes in the agenda, he would
148 bring a change in the absence rules as suggest by Mr. Jett and a change to the by-laws
149 amendment process, at future meetings.

150 **D.3 Annual Report Subcommittee [01:45:50]**

151 Mr. Warner reported that he would gear up for the next annual report after the new
152 audit had been reviewed.

153 **D.5 CBOC Website "Public Information" Subcommittee [01:47:00]**

154 Ms. Ricco said this subject had already been discussed.

155 **D.6 Ad Hoc Key Performance Indicators Subcommittee [01:47:45]**

156 Mr. Waller said that he would wait till the next meeting to report.

157 **E. ACTIONABLE ITEMS**

158 **E.6 Election of Officers [01:47:28]**

159 Mr. Cowens nominated Ms. Ricco to be Chair with a second. Ms. Ricco mentioned that
160 her term ends in June. Mr. Waller asked if the committee was operating under the
161 assumption that the District would suggest to the Board that members be allowed a
162 third term.

163 The nomination was approved 14-0-0.

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

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

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

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

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

174 **E.1 Attendance Review [01:51:50]**

175 Mr. Cowens stated that Mr. Arroyo had sufficient absences to be removed from the
176 committee. No action was taken.

177 **E.5 Training [01:52:23]**

178 Ms. Ricco suggested creating an ad hoc training subcommittee to develop a CBOC
179 workshop and orientations. Mr. Waller, Ms. Toms, and Mr. Jett volunteered to serve on
180 such a subcommittee.

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

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

185 **E.6 Project Tours [01:55:00]**

186 Ms. Ricco asked about creating an ad hoc subcommittee to compile a list and calendar
187 of committee site visits. Ms. Flucas and Mr. Oakley volunteered to serve on such a
188 subcommittee.

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

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

193 **E.4 Proposed By-Law Changes [01:56:28]**

194 Mr. Cowens pointed out that the item had been skipped over. He asked that this topic
 195 be tabled until the next meeting. Ms. Ricco tabled the item.

196 **F. DISCUSSION ITEMS**

197 **F.1 CBOC Ad Hoc Committees [01:57:38]**

198 Ms. Ricco asked the committee if there were areas the committee felt needed
 199 attention. Mr. Oakley suggested looking at improvements in the overall process for
 200 developing construction projects. Mr. Fay said the Board of Education supported the
 201 Design-Bid-Build process and that private and public construction processes were
 202 different in many ways. Ms. Ricco asked Mr. Oakley to flesh out his idea more and then
 203 bring it back.

204 **F.2 Budget Adjustments to Bond Program (tabled at December Meeting) [02:09:19]**

205 Ms. Ricco tabled this topic for the next meeting. She expressed dissatisfaction with the
 206 written response handout as an answer.

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

211 According to Mr. Fay, the district does NOT do value engineering. Under this system,
 212 once a budget is established, amenities are taken out of the construction plan. Mr. Love
 213 asked if the District absorbed the costs associated with errors and omissions in
 214 drawings. Mr. Fay said, generally, yes. Mr. Jett asked whether this policy was behind the
 215 29 million of unfunded liabilities mentioned in last year's audit report. Mr. Fay discussed
 216 how the District just sells more bonds to cover the unmet costs of projects.

217 **G. FUTURE MEETINGS**

218 **G.1 Next Meeting: February 19, 2014 [02:20:12]**

219 Ms. Ricco changed the next meeting to February 26.

220 **G.2 Future Agenda Items [02:22:45]**

221 Ms. Toms requested 3 items: RFP for the website, increasing the number of member
 222 terms, and Brown Act training.

223 **H. Good of the Order**

224 **I. Adjournment**

225 The meeting was adjourned at 8:35pm.