

Fremont Unified School District
2014 Measure E
Citizens' Bond Oversight Committee



Meeting Minutes

District Office Professional Development Center
November 2, 2016

Call to Order Meeting called to order at 6:49 PM

Attendance (Quorum)

Members Present: Anu Natarajan, Soraya McNally, Kathryn McDonald, Bryan Gebhardt, Sally Moran, Ashok Desai, Dave Peper, Eric Tsai, Jim Hunt, Dax Choksi

Members Absent: Jeff Bowen

FUSD Staff Present: John Chwastyk, Director of Facilities and Construction
Therese Gain, District Representative
Dr. James Morris, District Superintendent

Others Present: Robert Sands, Aaron Kael and Amber Aguilar, Vanir Construction Management
Robin Michel, Bond Measure E Program, Communications
Carlos Villafuert, Stradling Yocca Carlson & Rauth (SYCR)
Briana Abrams, Stradling Yocca Carlson & Rauth (SYCR)

Welcome and Introductions

Anu Natarajan introduced the new Board appointed CBOC member: Jim Hunt, and welcomed Kathryn McDonald in her new role as member (previously alternate member). Jim provided a brief bio about himself to committee members. Everyone present at the meeting introduced themselves to the new member.

Approval of Agenda

The meeting agenda was approved as submitted.

Approval of Previous Month's Minutes

The previous month's minutes were approved as submitted with two abstentions (Dax Choski and Jim Hunt).

Community Outreach

Emails from CBOC alternate member Eric Tsai with questions about the Project Stabilization Agreement. The CBOC received a handout with his questions and staff responses. Also included was a DRAFT Frequently Asked Questions (FAQ) which will be posted on the district Website.

Measure E Overview

Dr. James Morris was invited to attend the meeting at the request of the CBOC President in order to

provide an overview of the Committee's roles and what is expected.

Dr. Morris, who was speaking on behalf of the Board of Education and its President, Larry Sweeney, who was not able to attend, had three messages they wanted to convey to the Committee:

1. To say thank you to the Committee for their time and effort in making the bond work. He believes the bond has been incredibly successful so far, staying true to the original project list and commitments.
2. To inform them that the State Allocation Board transmitted official documents to switch development fee from level 2 to level 3. This change will further help with fixing schools in the community.
3. To ask the Committee to strategize on better communication between them and the Board. Dr. Morris and President Sweeney would like to request more robust communications between the Committee and the Board.

Review of CBOC Purpose and Roles

Carlos Villafuerte, Stradling Yocca Carlson & Rauth, provided copies of Citizens' Bond Oversight Committee Bylaws, Exhibit B, and the full text Ballot Proposition, for reference. Counsel informed the Committee of the purpose of the bond Counselor. Their main responsibilities are outlined below:

- Set up requirements and legal documentation
- Proper communications during campaign period
- Make themselves available to the District in regards to bond issues and any issues that arise

Stradling Yocca Carlson & Rauth does not charge the District for communications. They do not get paid except when the District sells bonds. They are an open resource to the Committee if questions arise. All questions should be directed to the District staff, who will then direct to Counsel.

There are a minimum of 7 members required for this committee. Members can serve three consecutive terms. After 3 consecutive terms are met they must skip a term. If there is a quorum of bond members present for any reason, including community events, committee topics should not be discussed per the Brown Act.

The CBOC is required to provide an annual report per bylaws. Other key topics discussed are listed below.

- The Committee has no legislative authority.
- The Committee can make recommendations to the Board, however they are not binding.
- The Committee is responsible for voicing majority recommendations.
- The Committee is responsible for making sure expenditures fit within the ballot descriptions.
- If expenditures do not meet the requirements, it is the Committee's statutory obligation to report this information to the Board.
- The ethics policy is built into the bylaws.
- The District is obligated to provide administrative/technical support to the Committee without the use of bond monies.

A recent change in law requires the District to inform the Committee of audit discrepancies. Counsel will send recommended bylaw changes. The Committee will review bylaw changes and send to the Board for approval.

Oral & Written Communications

Questions received from member Eric Tsai and Kathy McDonald. The Committee voiced the following

recommendations:

- More detailed meeting minutes and faster turnaround time.
- Draft minutes will be sent to the CBOC President who will review with committee for comments.
- Communicate important topics to the Board in memo form.
- Vote on specific items they want communicated to the board.
- Will try memo format and readdress in the next couple months to see how it is working.
- Legal questions will be directed to John or Therese and they will forward for response.

CBOC Protocol for Feedback to Board of Education

Please reference informational sheet provided at CBOC meeting for specific information provided. All board items are posted 72 hours prior to the board meeting for review. Suggest CBOC to review agenda and detailed information after it is posted. All board meetings are available to view after the meeting.

Update on Board Actions and CBOC Feedback to Board

The following items were taken to the Board for approval.

- Notice of completions
- Authorization of work
- Bond audit agreement
- CBOC member selection
- Financial reports

In addition there will be 14 items for approval at next month's board meeting. The Committee Chair has requested that completed projects be noted on financial reports so they are easier to identify. Vanir will look into adding a note to the financial reports that signifies notice of completion.

FAQ Updates

Draft PSA FAQ, which was noted during Community Outreach, and presented as a meeting handout.

Monthly Status Report

Vanir is continuing to bid out IT projects. The IT projects have been coming in at or below the Board Approved revised budget. Mission San Jose High School, American High School and Walters Junior High School are close to receiving DSA approval.

The implementation plan should be internally complete by mid-November. The goal is to present to the CBOC in December for a January board date.

Accept Project: Warm Springs Elementary Classroom Addition

Associate Superintendent Raul Parungao has requested that the CBOC review Notices of Completion before they are taken to the Board. The Notice of Completion (NOC) starts the timetable for release of retention and warranty. Going forward, the draft board item and agenda will be provided for review, if requested by Raul. The Committee has also requested that on Approved Board Items, the attached financial cost to complete summaries be provided to the Committee going forward.

Annual Election of Officers, and terms

All officers were appointed by acclimation as follows:

Anu Natarajan (**Parliamentarian**) – Member Parent – 3 year term – Expires 10/13/19

Ashok Desai – Alternate Senior Citizens' Organization – 3 year term – Expires 5/30/18

Bryan Gebhardt (**Chair**) – Member Parent & Parent Teacher Organization – 3 year term – Expires 9/30/17

Dave Peper (**Vice Chair**) – Members Taxpayers’ Organization – 3 year term – Expires 10/13/19
Dax Choksi – Member Other – 3 year term – Expires 10/13/19
Eric Tsai – Alternate Taxpayers’ Organization – 2 year term – Expires 5/30/18
Jeff Bowen – Alternate Parent & Parent Teacher Organization – 3 year term – Expires 9/30/17
Jim Hunt – Member Other – 2 year term – Expires 10/13/18
Kathryn McDonald (**Publicity**) – Member Business Organization – 2 year term – Expires 10/13/18
Sally Morgan (**Secretary**) – Member Senior Citizens’ Organization – 3 year term – Expires 9/30/17
Soraya McNally – Alternate Parent – 2 year term – Expires 5/30/18

Input for Annual CBOC Report to the Board

The CBOC also established an Annual Report subcommittee, comprised of Chair Bryan Gephardt, Publicity Chair Kathryn McDonald, and Alternate-Parent Member Soraya McNally (Maria Torres). Since all documents for the January 11, 2016, Board meeting are due before the holiday break, the CBOC is targeting January 24, 2017, Board meeting for the presentation of their annual report. All materials are due January 13, 2017.

Review of Future Meeting CBOC Dates, Topics and Board Calendar

January CBOC has tentatively been rescheduled to January 18, 2017, at 7:00 pm. This will be confirmed at the December 7, 2016, CBOC meeting.

Adjournment

Meeting was adjourned at 9:06 pm.

Respectfully submitted by: Amber Aguilar, Recording Secretary

Edited by: John Chwastyk