

**CONEJO VALLEY UNIFIED SCHOOL DISTRICT**  
**MEASURE I**  
**INDEPENDENT CITIZENS' BOND OVERSIGHT COMMITTEE**

**MINUTES JUNE 3, 2015**

**OPEN REGULAR SESSION – OPENING PROVISIONS**

Call to Order and Roll Call: Dr. Jon Sand called the meeting to order at 1:04 p.m. Present were the following:

**INDEPENDENT CITIZENS' BOND OVERSIGHT COMMITTEE**

Marshall Denninger, Parent / PTA representative  
Gail Ginell, Community At-Large representative  
Tony Gitt, Senior Citizens' Organization representative  
Wendy Goldstein, Parent representative  
Bill Gorback, Community At-Large representative  
Charles Lech, Business Organization representative  
~~Jere Robings, Taxpayers' Association representative (absent)~~

**ADMINISTRATIVE STAFF**

Jeffrey L. Baarstad, Ph.D., Superintendent  
Jon Sand, Ed.D, Assistant Superintendent, Chief Business Official,  
and Senior Staff Liaison to the Committee  
Mike Buckley, Director, Maintenance and Operations  
David Fateh, Director, Planning and Facilities  
Jerome Staszewski, Director, Technology Services  
Debbie Gonzales, Administrative Assistant, Business Services

Also present was David Casnocha, J.D., of Stradling Yocca Carlson & Rauth, P.C., who provides legal counsel to the District regarding the bond. Attendees introduced themselves and discussed their background and participation in District schools.

Dr. Sand read the procedural announcements.

**Approval of the Agenda**

Charles Lech moved to approve the Agenda, seconded by Bill Gorback. Motion carried 6-0.

**Comments from the Public**

None

**Comments from the Superintendent**

Dr. Jeffrey Baarstad provided a brief history regarding the District. A small bond was passed in the late 1970's to build what is now Conejo Valley High School, in 1998 Measure R (\$88m) passed, then on November 4, 2014, Measure I (\$197m) passed. With the Measure I funding, the District will integrate technology into the everyday instruction of students. The District has 27 school sites, so a great deal of

planning is needed to implement the Measure I improvements. It will take 12-14 years to complete all of the construction projects of Measure I. The District will purchase \$2m-\$2.5m in technology hardware each year. The first Measure I bonds will be issued next Thursday, June 11, 2015. Wells Fargo has been chosen to be the Underwriter of the bonds. The interest rate on the bonds is yet to be determined, but could possibly be 3.5-4%. The proceeds must be deposited in the County Treasury and will earn interest while held by the County Treasury. More information will be available at the Committee Meeting in August 2015.

#### **Comments from Senior Staff Liaison to the Committee**

Dr. Sand welcomed all and reviewed the information in the binders provided to the Board members. The information in the binders is available to the public on the District website at the following link:

<http://www.conejousd.org/MeasureIBondCitizensOversightCommittee.aspx>

The Committee is subject to the *Ralph M. Brown Public Meetings Act* and will conduct its meetings in accordance with its provisions. The Brown Act may be a future topic for training of the Committee.

#### **Comments from Individual Committee Members**

It was asked if the Maintenance budget will be used for Measure I projects. Dr. Baarstad explained that prior to 2007/08 the state gave us Deferred Maintenance funds which were used on re-roofing, HVAC, and pavement primarily. During the recession, the State eliminated the Deferred Maintenance funding and it has not been restored. The District also has a Maintenance budget of approximately \$800k/year for maintenance supplies. The District will receive Redevelopment funds from the State (\$1m/year) which is used on maintenance projects. The District also receives Developer fees amounting to about \$500k/year. Since 2007/08, the District has received about \$1.8m/year less than it received prior to 2007/08.

#### **Roles and Responsibilities of the Committee**

David G. Casnocha, J.D., Stradling Yocca Carlson & Rauth, P.C., provides legal counsel to the District regarding the bond. Mr. Casnocha explained that from 1986 to 2000 the District needed to get two-thirds voter approval in order to pass a bond. After 2000, the law changed and 55% voter approval was required to pass a bond for acquisition and furnishing, but there are conditions. For a Unified School District, the tax rate cannot exceed \$50 per \$100,000 of assessed valuation, an independent audit is required, and the District must establish a bond oversight committee.

Voters passed the following initiative which was on the ballot on November 4, 2014:

"To upgrade/maintain Conejo Valley schools with funding that cannot be taken by the State, shall Conejo Valley Unified School District upgrade all science/career training labs, update/maintain classroom technology and network infrastructure, provide safe, well maintained classrooms, repair/replace electrical, plumbing/roofing, repair, construct, acquire/equip sites/facilities, and improve school safety/security by issuing \$197 million in bonds, at legal rates, with citizens' oversight, annual audits, no money for administrators, and without increasing current tax rates?"

#### **Committee Bylaws**

David Casnocha reviewed the Committee Bylaws, which were approved by the CVUSD Board of Education on January 20, 2015. Per Section 2, the Committee is subject to the *Ralph M. Brown Public Meetings Act* of the State of California and shall conduct its meetings in accordance with the provisions thereof. Meetings must be public. Serial meetings are prohibited; consequently, meetings should be limited to items on the Agenda. Per Section 3, the Committee shall perform only the following duties:

Inform the Public. The Committee shall inform the public concerning the District's expenditure of bond proceeds. In fulfilling this duty, all official communications to either the Board or the public shall come from the Chair acting on behalf of the Committee. The Chair shall only release information that reflects the majority view of the Committee.

Review Expenditures. The Committee shall review expenditure reports produced by the District to ensure that (a) bond proceeds were expended only for the purposes set forth in Measure I; and (b) no bond proceeds were used for teacher or administrative salaries or other operating expenses in compliance with Attorney General Opinion 04-110, issued on November 9, 2004.

Annual Report. The Committee shall present to the Board, in public session, an annual written report which shall include the following:

- A statement indicating whether the District is in compliance with the requirements of Article XIII A, Section 1(b)(3) of the California Constitution; and
- A summary of the Committee's proceedings and activities for the preceding year.

The Committee could do their Annual Report after the fiscal year closes, or can wait until the fiscal year has been audited (the audit is received in January following the fiscal year ending in June).

### **Appointment of Committee Chairperson by the Superintendent**

Per Committee Bylaws Section 9, Officers, the Superintendent shall appoint the initial Chair. Thereafter, the Committee shall elect a Chair. The Chair shall serve for a term of one year and may be re-elected by vote of a majority of the members of the Committee. Dr. Baarstad appointed Marshall Denninger as Committee Chairperson for a one-year term.

## **ACTION ITEMS – GENERAL**

### **Election of Committee Vice-Chairperson**

Per Committee Bylaws Section 9, Officers, the Committee shall elect a Vice-Chair who shall act as Chair only when the Chair is absent. The Vice-Chair shall serve for a term of one year and may be re-elected by vote of a majority of the members of the Committee. Charles Lech moved to elect Bill Gorback as Vice-Chairperson, Wendy Goldstein seconded the motion, and the motion carried 6-0.

### **Selection of Two Committee Members to Serve One-Year Terms**

Per Committee Bylaws Section 5.4, Term, except as otherwise provided herein, each member shall serve a term of two years, commencing as of the date of appointment by the Board. No member may serve more than three consecutive terms. At the Committee's first meeting, members will draw lots or otherwise select a minimum of two members to serve for an initial one year term and the remaining members for an initial two year term.

On March 17, 2015, and on April 21, 2015, the Board of Education approved members of the Committee and terms for each member as follows:

- 2 year terms for Marshall Denninger, Tony Gitt, and Charles Lech
- 1 year terms for Gail Ginell, Wendy Goldstein, Bill Gorback, and Jere Robings

It was discussed that the Committee had the option of selecting a minimum of two members to serve for an initial one year term, as stated in the Bylaws. Committee members stated that they found the terms established by the Board to be acceptable. Gail Ginell moved to keep the terms established by the Board, Bill Gorback seconded the motion, and the motion carried 6-0.

**Selection of Meeting Dates, Time, and Location for 2015/2016**

The Committee discussed what dates, times, and locations would be acceptable for meetings in 2015/2016. Bill Gorback moved to make the Committee meetings on the second Tuesday of August, November, February, and May from 1:00 to 2:30 p.m., in Conference Room A or occasionally at an off-site location to be determined. Wendy Goldstein seconded the motion and the motion carried 6-0. The meetings will be 8/11/15, 11/10/15, 2/9/16, and 5/10/16.

**INFORMATION / DISCUSSION ITEMS**

**Measure I Overview**

Dr. Sand and David Fateh provided a Measure I Overview. Measure I expenditures will be for 1) Facilities Modernization and Construction (Bricks and Mortar Facilities), and 2) Technology Endowment. If all of the Bond Issues are tax-exempt then the rate will be lower for taxpayers, which would be favorable. Issues in 2018, 2021, and 2024 are increasingly larger so that the tax rate won't increase over time. Summary Sheets will be provided summarizing expenditures by site, by year. Summaries will also be provided listing each project at a given site, identifying the payee, and the amount expended. Project expenditures include the following "Soft Costs": In-House Staffing (Project Manager, Construction Supervisor, Administrative Assistant), Designers, Consultants, Testing/Inspection Fees, and Program Management Software. At the Committee meeting in August, there will be a detailed presentation regarding planned projects and acquisitions. The school sites have identified their needs, but the District has determined which projects will be done, when, and the funding source.

**Future Agenda Topics**

Dr. Sand offered that the following future agenda topics and presenters could be provided, if the Committee chooses:

- The Brown Act – Attorney
- Construction Management – David Fateh
- Technology Implementation – Dr. Jennifer Boone, Jayna Lovo, Jerome Staszewski
- How Audits are Performed – VTD Auditors
- Annual Report Preparation – Dr. Sand
- Committee Website – Dr. Sand

**ADJOURNMENT**

Marshall Denninger adjourned the Open General Session at 3:28 p.m. The Committee will reconvene at its next regularly scheduled meeting as follows:

- Date: August 11
- Time: 1:00-2:30
- Place: Conference Room A

8/11/15  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Chairperson