

Measure Q Citizens' Bond Oversight Committee

Wednesday, July 12, 2017 – 6:30 P.M.

City Council Chambers

600 East A St., Dixon, CA 95620

Un-Adopted Minutes

NOTICE TO PUBLIC

Persons wishing to speak to agenda items may present their written request at this time. While the written request is optional, those making a written request will be recognized first. Persons wishing to introduce a subject not on the agenda may also present their request at this time. The Chair will recognize you for the discussion at the appropriate time.

None-scheduled agenda items will be introduced under the Public Comment agenda item. Speakers will be allowed five minutes per topic.

I. Call to Order- Chair Strong called to order meeting at 6:30 p.m.

A. Roll Call:

1. Robert Strong, Chair – P
2. Tad Smith, Co-Chair – P
3. Jack Caldwell, Member – P
4. Jorjet Potier, Member – P
5. Andrea Kett, Member – P
6. Gary Riddle, Member – P
7. Julie Mustard, Member – P

B. Adoption of the Agenda

A motion was made by Co-Chair Smith and second by Member Potier to approve the agenda. Member Riddle would like to strike Mr. Anton Jungher as a guest speaker from the agenda. Member Caldwell would like to make a motion to strike Mr. Anton Jungher as a guest speaker, Co-Chairperson Smith seconds.

The motion was carried by the following vote:

AYES: Strong, Smith, Caldwell, Potier, Kett, Riddle, Mustard

NOES:

Member Caldwell made a motion to adopt the agenda as amended and Member Kett seconds the motion

The motion was carried by the following vote:

AYES: Strong, Smith, Caldwell, Potier, Kett Mustard

NOES: Riddle

C. Reading and Approval of Minutes

Public Comment:

A community member expressed that there wasn't anything on the minutes about Member Riddle requesting the bylaws. He went on to say that furthermore, there wasn't anything in the minutes about a member of the public complaining about this committee being improperly unconstituted. Both of those things needed to be in the minutes if it's going to be accurate because those are things of concern that may come up later and they should be there, expressed the community member.

Member Riddle expressed that at the last COC meeting, he had made a motion to add the bylaws to the agenda, the motion was seconded by Chairperson Strong and after some discussion John Calise, District rep, asked if there were any additional items other than the bylaws that the committee wanted to be added to the agenda and there were no objections or additions from the members. Member Riddle went on to say that silence in this case indicates consent. Member Riddle said he would like that added to the minutes.

Chairperson Strong motioned to accept minutes as amended, Member Caldwell moved to accept minutes as amended and Co-Chairperson Tad Smith second that motion.

The motion was carried by the following vote:

AYES: Strong, Smith, Caldwell, Potier, Kett, Riddle, Mustard

NOES:

D. Consent Calendar – None

II. Agenda

A. District Overview of Existing Bond Projects

Mr. John Calise presented and handed out a PowerPoint presentation on the District's overview of existing bond projects due to the COCs request. The old Dixon High School's campus will reopen as a middle school which will create a healthy and safe environment that is conducive to learning and that aligns with today's curriculum. These are the approved contracts up to date:

- Cooperative Strategies –Program Management Services (FY 17/18) \$85,800
- LPA Inc. – Architectural Assessment Services (FY 17) \$40,622
- LPA Inc. – Architectural Design Services (FY 17) \$40,000 (estimated)
- LPA Inc. – Architectural Design Services (FY 18/19) \$865,000

Public Comment:

A community member asked what was the process of selecting the firms. Mr. John Calise answered by saying there was a Request of Qualification (RFQ) that went out and narrowed it down to about five (5) firms that were interviewed then brought it down to two (2) firms, keeping in mind that the District was going to have multiple projects. Approved them by the Request for Proposals (RFPs) and that's when it talked about the dollars. He went on to say that it is very important to determine who is qualified based on the scope of the project and not based on price alone although price is incredibly important but you don't always want to go with the cheapest bidder.

A community member stated that the school district approved and put on the ballot that there would be a certain percentage of general fund money used for the maintenance of the schools. She mentioned she did not see it on the budget so she asked if the district was going to wait until after the construction is finished. Mr. John Calise responded by saying it has already been included and it's on the budget line of the Routine Maintenance Account (RMA) and that has the \$1million allocated for it.

B. Guest Speaker – None

Addressed on I B

C. Citizens' Oversight Committee Report

- Content
- Frequency
- Delivery Method

Member Riddle would like for each member of the committee to state, in their own words, their understanding of the importance of the committee's role and providing the report to the public. Every member stated their own verbal report of what they felt was the committee's role and responsibility and they were all in agreement that one of the main objectives as a Citizens' Committee Member was to make sure the bond funds were spent appropriately for modernization and construction and also reporting updates to the community. Member Riddle went on to say that this would be an important topic for the next meeting to come to an agreement on just how the COC is going to write a report with both positive and negative findings that is supported by actual verification. He went on to say that what he would recommend for the next meeting would be to establish a mission statement that captures what the main objective of the committee is and then putting it on the Measure Q website.

Member Potier requested copies of the RFQs, RFPs and any estimates that pertain to the project from the very beginning. Mr. John Calise said he would provide her requested items and make them available as soon as possible, but no later than mid August.

Co-Chairman Smith also made a request for a scheduled tour of the old DHS to see first-hand the condition of the school. Mr. John Calise said it may have to be a video tour due to the hazards in that building but would check with the District's insurance carrier but either way he would definitely give the members a tour.

Member Riddle added about talking in regards of the frequency the COC members should meet and to keep in mind the requirement of the annual report and how interim reports can be done. His recommendation was to do the interim reports but it should go up for discussion.

D. Citizens' Oversight Committee Website Content

Public Comment:

A community member stated that everything Member Potier is requesting should be put on the website in order to gain trust; people need to see more than what is provided. Mr. John Calise answered by saying that the website is being built for the public. Videos will be available through the District's website and the meetings are also on local cable Channel 20 live. He went on to say that annual reports will be on the website and through the interest of transparency, the presentations and goals of what the District is looking to do as well. He said that at this time, there is no timeline but there will be one soon.

Member Riddle passed out to the members a list of things he would like to build and discuss. He mentioned that the last 5 items on his list are required by Ed. Code.

Public Comment:

A member of the community said there was a question about CEQA whether it was going to be limited to traffic. Mr. John Calise answered that at the last Board meeting, that was the only concern brought forth and he believes it was not an intention of the Board to engage in a full Environmental Impact Review (EIR). Mr. John Calise was asked if the report were to say that the traffic was to be disastrous, will it still be acceptable as far as CEQA is concerned. Mr. John Calise replied by saying that the environmental consultant's role wouldn't be to change the roads but they might look at staggered start times, different bell times, suggested different routes or they may work with the city to change the traffic pattern so what that environmental consultant would recommend would really drive that but the District would not be able to change the routes but try to mitigate it to the best of their ability.

Public Comment:

A suggestion about not having the senior citizen committee member. Member Riddle belongs to a group that might qualify and if that's the case then maybe he can be the representative for that and Mrs. Riddle, his wife, can be the taxpayer representative.

Public Comment:

Regarding the Brown Act: There's a website called Big Bad Bonds.com. There's an article on how the Brown Act does not pertain to this type of committee because the lawyers are trying to limit on what the committee can do. He suggests everyone read this particular article and there are good ideas for the committee.

Public Comment:

A public comment was made stating that this is an independent advisory committee that works for the citizens. The District elected for a 55% vote on the bond and with that 55% vote you get an oversight's bond committee who oversee the expenditures of the funds and reports those expenditures to the community. He went on to say that there were no procedures for the applicants to look at also it distressed him when he read the certification on the application to be a member of the COC. He feels that the certification is inappropriate for the District requiring members, as part of the application process, to follow the rules established by the school board.

He went on to say that in regards to the bylaws, the school board should not be approving the COC bylaws for an independent committee or to have the school board adopt the bylaws on July 20th, for this independent bond oversight committee.

He also mentioned that in regards to the minutes, the handout was not part of the minutes. The handout should have been part of the minutes so the citizens understand what was done at that meeting.

He also stated that in regards to the secretary, he believes that it's inappropriate for a member of the District staff to be part of the committee. The committee is entitled to have their own secretary who is responsible to the committee and selected by the committee and under Ed Code, the staff is obligated to provide administrative support to the committee.

He also suggested not having the Brown Act as part of the bylaws. He believes that it restricts

the work of this committee and said the CBOCs are not required to follow the Brown Act.

He went on to express that the COC should have their own legal counsel and paid for by the District. He said that right now the COC is getting legal advice from the school board council and is not independent legal advice.

III. Reports of Officers and Subcommittees – None

IV. Reports of Special Committees – None

V. Public Comment – No public comment at this time. Public comments were made throughout meeting.

VI. Unfinished Business and General Orders – None

VII. New Business

A. Set Dates and Times for Future Meetings-

The district is proposing bylaws for the COC at the 7/20/2017 Board meeting. There was a motion by Member Caldwell to select a single member to attend that meeting as a representative of the COC.

After talking it over, all COC members decided on attending the July 20th Board meeting rather than sending just one representative to attend.

Chair Strong asked Member Caldwell if he would like to rescind motion to elect a single member to attend the July 20th board meeting. Member Caldwell rescinded the motion.

There was a motion to draft a letter for the school board meeting expressing sentiments on the bylaws. Member Caldwell made the motion and Co-Chairman Smith second the motion.

The COC is considering a statement to the board such as the following:
Our committee has only had two (2) meetings; we are not prepared at this time to submit the proposed bylaws. We would appreciate an opportunity to have time to draft our own bylaws and submit them to the school Board.

Member Mustard made a motion to form a subcommittee of two to draft a letter to the school Board and Member Caldwell has second the motion.

By having a subcommittee the Brown Act is being followed and Co-Chairperson Smith and Member Riddle will write a draft letter to the school Board to present.

All in favor of subcommittee:

The motion was carried by the following vote:

AYES: Strong, Smith, Caldwell, Potier, Kett, Riddle, Mustard

NOES:

Chairperson Strong made a motion to instruct the subcommittee to inform the school Board that the committee is not prepared to present the bylaws. Member Potier second the motion.

AYES: Strong, Smith, Caldwell, Potier, Kett, Riddle, Mustard
NOES:

Next Meeting-

Member Caldwell motions for meeting on August 16th pending venue availability, Member Potier seconds the motion.

The motion was carried by the following vote:

AYES: Strong, Smith, Caldwell, Potier, Kett, Riddle, Mustard
NOES:

Agenda Items for Future Meetings-

- Past Documents
- Bylaws
- Selection of Secretary
- Short Mission Statement
- Discussion on How Data Will Be Validated
- Update on Website
- Review List of Items (Add anything on Member Riddle's List or Strike)

VIII. Announcements- None

IX. Adjournment – 9:14 p.m.