

Please Post

San Bernardino City Unified School District

Special Meeting of the Measure T Bond
Citizens' Oversight Committee

Closed Session Room

Time: 10:00 – 11:45 am

Board of Education Building
777 North F Street
San Bernardino, California 92410

MINUTES

August 28, 2007

Committee Members	Representing	Present	Absent
Teresa Alba	Parent		X
Robbi Brunk	At-large	X	
Soledad Castillo	Parent/PTA Member	X	
Carl Clemons	At-large	X	
Ronald Coats	Business Community	X	
J. Pat Ferraris	Business Community		X
Margaret Hill	Senior Citizen		X
Marion Vassilakos	Tax Payer's Organization	X	

District Support	Department	Present	Absent
Dr. Arturo Delgado	Superintendent's Office	X	
John Peukert	Facilities/Operations	X	
Wael Elatar	Facilities Management	X	
Keith Kajiya	URS Facilities Program Management	X	
Beth Alexander	Facilities Management	X	

1. Opening

a. Call to Order

Chairperson Robbi Brunk called the meeting to order at 10:05 a.m.

b. Use of Bond Proceeds for School District Employees

Mr. David Casnocha, District Bond Counsel, attended the meeting at the request of the Committee. Mr. Casnocha gave a brief history of California bond sales and how Proposition 13 stopped the sale of bonds in 1979 until Proposition 39 passed in 2000 and modified bond requirements to have a 55% voter approval with audits and a Citizens' Oversight Committee. In March 2004, voters within the San Bernardino City Unified School District passed the Measure T, which was subject to Proposition 39 requirements. Mr. Casnocha explained that language in Measure T referencing that "no teachers or administrative salaries" would be funded with bond funds was taken directly from Proposition 39. In November 2004, the State Attorney General issued an opinion that established District project management staff that was directly related to projects funded by the bond as being valid expenses to the Bond. The intent of Proposition 39 was to save money by using District employees in lieu of consultants.

Based on his experience with the Measure T Bond language and working with other Citizens' Oversight Committees throughout California, Mr. Casnocha gave several examples in which the finding of the Attorney General was the appropriate and legal basis for the use of bond funds in question. He noted that the Citizens' Oversight Committee should have access to time sheets to justify District staff time allocated to the Bond.

Robbi Brunk asked about the salary difference between consultants and District employees and Keith Kajiya addressed the question. Keith presented a chart that showed, by comparison, a consultant employee's salary and benefits are between 1.7 and 2.5 times higher than a comparable District employee. Using Bond funds to pay District employees, instead of contracted consultants, would save money and make more funds available for projects.

Ron Coats asked about the time accounting of District employees that may be working on multi-funded projects. Wael Elatar explained that District employees often do time-accounting reports, based on their funding, to justify the time spent on each activity relating to their job.

John Peukert explained that if/when the District receives the anticipated Hardship Application funding, the language allows for funds to be used for salaries of District employees working directly with those projects. This will allow the transition of District employees working on Bond funded projects to continue with the Hardship funded projects.

Dr. Arturo Delgado reiterated his position for the need to increase staff in the Facilities Management Department to oversee current and upcoming projects by using Measure T Bond funds for their salaries. He stated that since the original bond language was interpreted by the California State Attorney General to allow Bond funds to be used specifically for project-related personnel, he felt this was a responsible and cost-efficient expenditure. He reassured the committee that he would not take any recommendation to the Board that was not ethical.

Soledad Castillo, Marion Vassilakos and Carl Clemons expressed grave concerns regarding the voters' perception that the original intent of the bond monies was that it would not be spent on administrators' salaries since that would be a violation of Measure T and would compromise the Bond. They stated that based on their reading and understanding of the original bond language, administrators' salaries must be funded from other sources, not from the Bond.

After further discussion, the Citizens' Oversight Committee members reached a positive conclusion that they could support the recommendation to the Board and the "faith of the voters" on the original intent was not being compromised. Mr. Casnocha suggested that when the proposal is presented to the Board, it would be appropriate for a representative of the COC to make a positive comment in support of the recommendation. Beth Alexander was asked to notify the COC members when the date has been set for the item to go to the Board Meeting.

c. Approval of Minutes – June 27, 2007

Ron Coats made a motion that the minutes of the COC Special Meeting held on June 27, 2007, seconded by Soledad Castillo, be accepted as presented. Motion passed

2. Administrative Reports

a. Status of Tennis Courts at Serrano Middle School

In response to the question asked by Margaret Hill at the last meeting, regarding the tennis courts at Serrano Middle School, which were eliminated by the construction of the SDC building, Wael Elatar explained that planning for the new buildings on existing sites was done long ago. Decisions on locating buildings were made with school administrators at that time and in some cases, those original administrators left the school. In such instances, it is possible for current administrator to not be in agreement with a previous administrator's decision. Since these projects have been fully designed and approved by DSA, the Facilities department is only proceeding with previous decisions made by administrators in the past. It is challenging to locate some new buildings on existing campuses, as there is a premium on parking lots, playgrounds and blacktopped areas which may often be displaced. At this time, there is no plan to replace the tennis court at Serrano Middle School from the facilities capital funding program.

3. Schedule for Future Meetings

Scheduled: September 12, 2007

Scheduled: December 11, 2007

4. Public Comments

5. Items for Future Agendas