



Measure Z Citizens Bond Oversight Committee (CBOC)

Meeting Agenda

Measure Z CBOC Meeting #10

Monday, July 31, 2023, · 6:00 – 7:30 pm

Location: Room #75, 930 Westacre Rd. West Sacramento CA, 95691

COMMITTEE MEMBERS		WUSD STAFF AND CONSULTANTS	
John Lindley		Monique Stovall, Assistant Superintendent of Business Services	
Cindy Kazanis		Dan Banowetz, Director II of Facilities	
Ari Neumann		Daniel Gandara, Facilities Analyst	
Jose Garcia		Yvette Hernandez, Administrative Secretary II	
Jen Grexton		Patty Paulsen, Key Analytics	
Kazys Shukis			

(X=Full Time, P= Part Time, A=Absent)

AGENDA

A. Open Session (6:00 pm)

B. Roll Call

C. Pledge of Allegiance

D. Approval of the Agenda

- a. [Approval of Measure Z CBOC Meeting Agenda July 31, 2023.](#)

E. Public Comments

F. Committee Administration

- a. [Review and approve May 2, 2023. Measure Z CBOC Meeting Minutes. Pending WUSD Board Approval.](#)
- b. Chair and Vice-Chair elections
- c. A status report on the District's efforts to comply with Ed. Code 15282 and provide the necessary individuals to our committee.
- d. A report from the District on the process that needs to be followed for a committee member to be scheduled for a visit to the current CBOC-funded construction site/s. Ed code 15278 (c) (2)

G. Measure Z Expenditures Reports

- a. [Key Analytics Measure Z Expenditure Report](#)

H. District Updates

- a. Update by the District to provide a current status of the Measure Z projects.
- b. Update of approved renewal applications

I. Bylaw Updates

- a. [Review and Discuss Member Shukis Recommended changes to the bylaws. \(Tabled on 5/2/23\)](#)

J. Previously Tabled Agenda Items

- a. Review Website Updates and Changes (central location for bylaws, members, terms, etc.)

K. Next Meeting Agenda Items

- a. Determine the time and date for the next meeting.

L. Adjournment



Washington Unified School District

Report to the Citizens' Bond Oversight Committee

July 31, 2023

Report by:



930 Westacre Road
West Sacramento, CA 95691
Phone: (916) 375-7600



Committee Members

- ✓ Jose Garcia
- ✓ Jen Grexton
- ✓ Cindy Kazanis
- ✓ John Lindley
- ✓ Ari Neumann
- ✓ Kazys Shukis

Board of Trustees

- ✓ Jackie Thu-Huong Wong, President
- ✓ Sarah Kirby-Gonzalez, Vice President
- ✓ Christi Barnas, Trustee
- ✓ Coby Pizzotti, Trustee
- ✓ Alvaro Venegas, Trustee

District Representatives

- ✓ Dr. Cheryl Hildreth, Superintendent
- ✓ Monique Stovall, Asst. Supt., Business Services
- ✓ Daniel Banowetz, Director of Facilities, Construction & Planning

Measure Z Overview

On November 3, 2020, the voters of West Sacramento authorized Measure Z which passed with 60.93% approval and issuing \$150,000,000 in General Obligation Bonds for school facilities improvements, construction, and modernization. This Bond Measure will go a long way in protecting our students' quality education and ensure opportunities for all students in WUSD schools for many years to come.

- Some of our schools are more than 70 years old and need to be modernized to provide up-to-date classroom technology and meet current health and safety codes.
- All students throughout the district deserve the same safe, modern schools and educational opportunities regardless of which school they attend.
- Schools today need to have updated classrooms and instructional technology to better prepare students for college or the workforce.
- Repairing and upgrading our schools will help retain and attract quality teachers because classrooms will be up-to-date, have the resources and tools needed, and schools will be clean and safe.
- Measure Z would ensure students have the same arts and music education opportunities as students in wealthier districts.

The first series of Measure Z bonds were issued in the amount of \$60,000,000 as noted below. Future series of bonds will be sold as projects are developed and additional funds are needed.

Series A – Issued 6/3/2021	\$ 60,000,000
Remaining Authorization	<u>\$ 90,000,000</u>
Total Bond Authorization	<u>\$150,000,000</u>



Measure Z costs property owners no more than \$60 per \$100,000 of assessed (not market) value per year, protected by Proposition 13, or approximately \$165 per year for the typical homeowner. All funds generated by Measure Z would stay local to improve WUSD.

Measure Z includes strong fiscal safeguards:

- All funds spent locally to support local schools and cannot be taken away by the State
- No funds could be used for administrator salaries or pensions
- Independent citizens' oversight and annual audits of all spending
- Qualify WUSD for state matching funds that would otherwise go to other school districts

Measure Z Bond Summary

Series A Bond Proceeds	\$ 60,000,000
Remaining Bond Authorization	\$ 90,000,000
Interest Income Earned	\$ 634,066
Refund from Cost of Issuance Fees	\$ 23,695
Total Revenues	<u>\$150,657,761</u>
<hr/>	
Project Expenditures as of 6/29/2023 (PRE-CLOSING)	\$ 2,108,202
Encumbrances (Contracts)	<u>\$ 34,930,171</u>
Total Commitments	<u>\$ 37,038,373</u>
Remaining Budget for Current Projects	<u>\$113,619,388</u>
Total Projects Planned	<u>\$150,657,761</u>

Facilities Master Plan

The District conducted a Facilities Master Plan (FMP) that was received by the Board of Education on December 12, 2019. The FMP is strategic facilities plan that guides the District in the adoption of facility projects as funds are available to do them. The document proposes projects at each of the sites, project costs, and proposes a strategy for implementing the projects. The document identifies potential funding sources and makes recommendations on how to allocate the funds according to the needs and goals of the District and its stakeholders.

As project priorities were identified, five clear categories emerged for the proposed projects, and those categories were ranked according to degree of need, urgency, and equity across the District campuses. The project priority categories are:

1. Campus Equity
2. Visual and Performing Arts (VAPA)
3. Future Ready Classrooms
4. Positive Campus Climate/Exterior Enhancement
5. Early Childhood Education

The District is currently in process of evaluating projects and priorities.

Cumulative Measure Z Overall Summary by Project

**from Inception to
June 29, 2023 (PRE-CLOSING BALANCES)**



Cumulative Summary for Measure Z - As of 6/29/2023 (PRE-CLOSING BALANCES)

Project	Total Budget	Encumbered	Expenditures	Remaining Budget	Encumbered Balance
000-0000 - District Wide - Project Support Costs	\$5,398,600.00	\$407,267.62	(\$403,355.18)	\$4,991,332.38	\$3,912.44
000-CONT - Districtwide - Bond Program Contingency	\$3,000,000.00	\$0.00	\$0.00	\$3,000,000.00	\$0.00
000-UNALL - Districtwide - Unallocated Bond Funds	\$1,584,237.47	\$0.00	\$0.00	\$1,584,237.47	\$0.00
002-6931 - Elkhorn Elem. - Elkhorn Village Modernization	\$59,319,000.00	\$45,000.00	(\$6,389.50)	\$59,274,000.00	\$38,610.50
004-7306 - Westfield Village Elem. - Modernization	\$42,402,773.03	\$36,546,304.95	(\$1,698,457.30)	\$5,856,468.08	\$34,847,847.65
008-RCHS-PAC - River City High School - Performing Arts Center	\$38,805,000.00	\$0.00	\$0.00	\$38,805,000.00	\$0.00
030-0000 - District Office - General	\$148,150.00	\$39,800.00	\$0.00	\$108,350.00	\$39,800.00
Grand Total:	\$150,657,760.50	\$37,038,372.57	(\$2,108,201.98)	\$113,619,387.93	\$34,930,170.59

Cumulative Measure Z Encumbrance Summary by Project

**from Inception to
June 29, 2023 (PRE-CLOSING BALANCES)**



Cumulative Summary for Measure Z - As of 6/29/2023 (PRE-CLOSING BALANCES)

Project: 000-0000 - District Wide - Project Support Costs				
Vendor	Encumbrance	Expenditure	Balance	Description
Capital Program Management	\$115,935.00	(\$115,354.00)	\$581.00	Construction/Project Management
James Marta & Company	\$4,600.00	(\$4,600.00)	\$0.00	Auditing Services
McClatchy Company LLC	\$5,922.90	(\$2,591.46)	\$3,331.44	Advertising
W.U.S.D. - Payroll	\$39,209.72	(\$39,209.72)	\$0.00	Project Support Costs
W.U.S.D. -Bond Cost of Issuance	\$241,600.00	(\$241,600.00)	\$0.00	Cost of Issuance
Project Total:	\$407,267.62	(\$403,355.18)	\$3,912.44	000-0000 - District Wide - Project Support Costs
Project: 002-6931 - Elkhorn Elem. - Elkhorn Village Modernization				
Vendor	Encumbrance	Expenditure	Balance	Description
Capital Program Management	\$45,000.00	(\$6,389.50)	\$38,610.50	Construction/Project Management
Project Total:	\$45,000.00	(\$6,389.50)	\$38,610.50	002-6931 - Elkhorn Elem. - Elkhorn Village Modernization
Project: 004-7306 - Westfield Village Elem. - Modernization				
Vendor	Encumbrance	Expenditure	Balance	Description
A.P. Construction	\$217,600.00	\$0.00	\$217,600.00	Construction Services
AC Martin Inc	\$1,957,500.00	(\$1,180,020.00)	\$777,480.00	Architectural Services
Aecom	\$3,810.00	\$0.00	\$3,810.00	Engineering
Cal Card	\$65.40	(\$65.40)	\$0.00	Miscellaneous Project Costs
Capital Program Management	\$260,791.30	(\$63,973.78)	\$196,817.52	Construction/Project Management
City of West Sacramento	\$14,977.36	(\$14,977.36)	\$0.00	City Fees
Dept. of General Services	\$256,383.57	(\$256,383.57)	\$0.00	DSA Plan Check Fees
Entek Consulting	\$47,500.00	\$0.00	\$47,500.00	Professional and Consulting Services
Managed Facility Solutions	\$9,609.70	(\$8,173.75)	\$1,435.95	Moving and Storage
McClatchy Company LLC	\$1,769.84	(\$1,769.84)	\$0.00	Advertising
PBK Architects Inc.	\$4,800.00	(\$4,800.00)	\$0.00	Architect Services
PG&E Energy	\$2,500.00	(\$2,500.00)	\$0.00	Utilities
ParcelQuest	\$29.90	(\$29.90)	\$0.00	Full Property Detail Report
Universal Engineering Sciences	\$49,895.00	\$0.00	\$49,895.00	Engineering Consultant
Van Pelt Construction	\$47,230.00	(\$28,620.00)	\$18,610.00	Project Management/Construction Management
Wallace Kuhl & Associates	\$28,903.70	(\$28,903.70)	\$0.00	Architect/Engineering Services

Cumulative Summary for Measure Z - As of 6/29/2023 (PRE-CLOSING BALANCES)

Project: 004-7306 - Westfield Village Elem. - Modernization				
Vendor	Encumbrance	Expenditure	Balance	Description
Warren Consulting Engineers	\$38,500.00	(\$38,500.00)	\$0.00	Engineering Services
Waste Management	\$2,914.20	\$0.00	\$2,914.20	Waste Management Services
XL Construction	\$33,598,764.98	(\$66,980.00)	\$33,531,784.98	Construction Services
Yolo County Health Department	\$2,760.00	(\$2,760.00)	\$0.00	County Services
Project Total:	\$36,546,304.95	(\$1,698,457.30)	\$34,847,847.65	004-7306 - Westfield Village Elem. - Modernization
Project: 030-0000 - District Office - General				
Vendor	Encumbrance	Expenditure	Balance	Description
Capital Program Management	\$39,800.00	\$0.00	\$39,800.00	Construction/Project Management
Project Total:	\$39,800.00	\$0.00	\$39,800.00	030-0000 - District Office - General
Grand Total:	\$37,038,372.57	(\$2,108,201.98)	\$34,930,170.59	Washington Unified School District

Cumulative Measure Z Expenditure Summary by Project

**from Inception to
June 29, 2023 (PRE-CLOSING)**





Cumulative Summary for Measure Z - As of 6/29/2023 (PRE-CLOSING BALANCES)

PROJECT: 000-0000 - DISTRICT WIDE - PROJECT SUPPORT COSTS

B - PLANNING										
	ARCHITECT/ ENGINEERING FEES	DSA FEES	CDE FEES	ENERGY ANALYSIS	PRELIMINARY TESTS	OTHER COSTS				
Category Totals:	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$288,001.18				

C - CONSTRUCTION										
	MAIN CONSTRUCTION	CONSTRUCTION MANAGEMENT	DEMOLITION	OTHER CONSTRUCTION	INTERIM HOUSING	INSPECTIONS	CONSTRUCTION TESTS	FURNITURE & EQUIPMENT	LABOR COMPLIANCE PROGRAM	
Category Totals:	\$0.00	\$115,354.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
Project Total:	\$403,355.18									

PROJECT: 002-6931 - ELKHORN ELEM. - ELKHORN VILLAGE MODERNIZATION

C - CONSTRUCTION										
	MAIN CONSTRUCTION	CONSTRUCTION MANAGEMENT	DEMOLITION	OTHER CONSTRUCTION	INTERIM HOUSING	INSPECTIONS	CONSTRUCTION TESTS	FURNITURE & EQUIPMENT	LABOR COMPLIANCE PROGRAM	
Category Totals:	\$0.00	\$6,389.50	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
Project Total:	\$6,389.50									

PROJECT: 004-7306 - WESTFIELD VILLAGE ELEM. - MODERNIZATION

A - SITE										
	PURCHASE PRICE OF PROPERTY	APPRAISAL FEES	ESCROW COSTS	SURVEYING COSTS	SITE SUPPORT COSTS	HAZARDOUS WASTE REMOVAL	OTHER SITE COSTS	DTSC FEES	POESSA/ PEA COSTS	APPRAISAL FEES, ESCROW & SURVEYING COSTS
Category Totals:	\$0.00	\$0.00	\$0.00	\$14,977.36	\$0.00	\$0.00	\$95,883.70	\$0.00	\$0.00	\$0.00

B - PLANNING										
	ARCHITECT/ ENGINEERING FEES	DSA FEES	CDE FEES	ENERGY ANALYSIS	PRELIMINARY TESTS	OTHER COSTS				
Category Totals:	\$1,180,020.00	\$256,383.57	\$0.00	\$0.00	\$0.00	\$46,218.89				

C - CONSTRUCTION										
	MAIN CONSTRUCTION	CONSTRUCTION MANAGEMENT	DEMOLITION	OTHER CONSTRUCTION	INTERIM HOUSING	INSPECTIONS	CONSTRUCTION TESTS	FURNITURE & EQUIPMENT	LABOR COMPLIANCE PROGRAM	
Category Totals:	\$0.00	\$63,973.78	\$0.00	\$2,500.00	\$0.00	\$38,500.00	\$0.00	\$0.00	\$0.00	



Cumulative Summary for Measure Z - As of 6/29/2023 (PRE-CLOSING BALANCES)

C - CONSTRUCTION

	MAIN CONSTRUCTION	CONSTRUCTION MANAGEMENT	DEMOLITION	OTHER CONSTRUCTION	INTERIM HOUSING	INSPECTIONS	CONSTRUCTION TESTS	FURNITURE & EQUIPMENT	LABOR COMPLIANCE PROGRAM	
Project Total:	\$1,698,457.30									

GRAND TOTALS

A - SITE

	PURCHASE PRICE OF PROPERTY	APPRAISAL FEES	ESCROW COSTS	SURVEYING COSTS	SITE SUPPORT COSTS	HAZARDOUS WASTE REMOVAL	OTHER SITE COSTS	DTSC FEES	POESSA/PEA COSTS	APPRAISAL FEES, ESCROW & SURVEYING COSTS
Site:	\$0.00	\$0.00	\$0.00	\$14,977.36	\$0.00	\$0.00	\$95,883.70	\$0.00	\$0.00	\$0.00

B - PLANNING

	ARCHITECT/ENGINEERING FEES	DSA FEES	CDE FEES	ENERGY ANALYSIS	PRELIMINARY TESTS	OTHER COSTS				
Planning:	\$1,180,020.00	\$256,383.57	\$0.00	\$0.00	\$0.00	\$334,220.07				

C - CONSTRUCTION

	MAIN CONSTRUCTION	CONSTRUCTION MANAGEMENT	DEMOLITION	OTHER CONSTRUCTION	INTERIM HOUSING	INSPECTIONS	CONSTRUCTION TESTS	FURNITURE & EQUIPMENT	LABOR COMPLIANCE PROGRAM	
Construction:	\$0.00	\$185,717.28	\$0.00	\$2,500.00	\$0.00	\$38,500.00	\$0.00	\$0.00	\$0.00	

GRAND TOTAL (ALL CATEGORIES)

Total:	\$2,108,201.98									

New Measure Z Expenditures by Project

**from April 1, 2023 to
June 29, 2023 (PRE-CLOSING)**





New Expenditures Detail for Measure Z - 4/1/2023 to 6/29/2023 (PRE-CLOSING BALANCES)

PROJECT: 000-0000 - DISTRICT WIDE - PROJECT SUPPORT COSTS

C - CONSTRUCTION

ACTIVITY DATE	PAYEE NAME	WARRANT/PAYMENT#	DESCRIPTION	APN NUMBER	FUND CODE	SAC CODE	MAIN CONSTRUCTION	CONSTRUCTION MANAGEMENT	DEMOLITION	OTHER CONSTRUCTION	INTERIM HOUSING	INSPECTIONS	CONSTRUCTION TESTS	FURNITURE & EQUIPMENT	LABOR COMPLIANCE PROGRAM	
05-24-2023	Capital Program Management	3345857	Construction Management Fees		Fund 21-9270	6272		\$1,545.50								
05-31-2023	Capital Program Management	3346396	Construction Management Fees		Fund 21-9270	6272		\$51.50								
						Category Totals:	\$0.00	\$1,597.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
						Construction Total:	\$1,597.00									
						Project Total:	\$1,597.00									

PROJECT: 002-6931 - ELKHORN ELEM. - ELKHORN VILLAGE MODERNIZATION

C - CONSTRUCTION

ACTIVITY DATE	PAYEE NAME	WARRANT/PAYMENT#	DESCRIPTION	APN NUMBER	FUND CODE	SAC CODE	MAIN CONSTRUCTION	CONSTRUCTION MANAGEMENT	DEMOLITION	OTHER CONSTRUCTION	INTERIM HOUSING	INSPECTIONS	CONSTRUCTION TESTS	FURNITURE & EQUIPMENT	LABOR COMPLIANCE PROGRAM	
05-31-2023	Capital Program Management	3346396	Construction Management Fees		Fund 21-9270	6272		\$1,105.00								
						Category Totals:	\$0.00	\$1,105.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
						Construction Total:	\$1,105.00									
						Project Total:	\$1,105.00									

PROJECT: 004-7306 - WESTFIELD VILLAGE ELEM. - MODERNIZATION

A - SITE

ACTIVITY DATE	PAYEE NAME	WARRANT/PAYMENT#	DESCRIPTION	APN NUMBER	FUND CODE	SAC CODE	PURCHASE PRICE OF PROPERTY	APPRAISAL FEES	ESCROW COSTS	SURVEYING COSTS	SITE SUPPORT COSTS	HAZARDOUS WASTE REMOVAL	OTHER SITE COSTS	DTSC FEES	POESSA/ PEA COSTS	APPRAISAL FEES, ESCROW & SURVEYING COSTS
04-24-2023	XL Construction	3343485	Site Construction & Improvements		Fund 21-9270	6170							\$66,981.00			
06-05-2023	Wallace Kuhl & Associates	3346935	Site Inspection		Fund 21-9270	6190							\$28,903.70			
						Category Totals:	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$95,884.70	\$0.00	\$0.00	\$0.00
						Site Total:	\$95,884.70									

B - PLANNING

ACTIVITY DATE	PAYEE NAME	WARRANT/PAYMENT#	DESCRIPTION	APN NUMBER	FUND CODE	SAC CODE	ARCHITECT/ ENGINEERING FEES	DSA FEES	CDE FEES	ENERGY ANALYSIS	PRELIMINARY TESTS	OTHER COSTS				
04-03-2023	Yolo County Health Department	3342022	Other Planning Costs		Fund 21-9270	6250						\$2,760.00				
04-17-2023	Van Pelt Construction	3342823	Prof/Consulting Serv & Op Exp		Fund 21-9270	5800						\$3,300.00				
04-24-2023	AC Martin Inc	3343414	Architect/Engineering Fees		Fund 21-9270	6210	\$117,450.01									
05-08-2023	PBK Architects Inc.	3344633	Prof/Consulting Serv & Op Exp		Fund 21-9270	5800						\$4,800.00				
05-24-2023	AC Martin Inc	3345850	Architect/Engineering Fees		Fund 21-9270	6210	\$58,724.99									
05-24-2023	Van Pelt Construction	3345896	Prof/Consulting Serv & Op Exp		Fund 21-9270	5800						\$3,300.00				
05-24-2023	Managed Facility Solutions	3345882	Prof/Consulting Serv & Op Exp		Fund 21-9270	5800						\$8,173.75				
06-12-2023	Van Pelt Construction	3347617	Prof/Consulting Serv & Op Exp		Fund 21-9270	5800						\$2,850.00				
						Category Totals:	\$176,175.00	\$0.00	\$0.00	\$0.00	\$0.00	\$25,183.75				
						Planning Total:	\$201,358.75									



New Expenditures Detail for Measure Z - 4/1/2023 to 6/29/2023 (PRE-CLOSING BALANCES)

C - CONSTRUCTION																
ACTIVITY DATE	PAYEE NAME	WARRANT/PAYMENT#	DESCRIPTION	APN NUMBER	FUND CODE	SAC CODE	MAIN CONSTRUCTION	CONSTRUCTION MANAGEMENT	DEMOLITION	OTHER CONSTRUCTION	INTERIM HOUSING	INSPECTIONS	CONSTRUCTION TESTS	FURNITURE & EQUIPMENT	LABOR COMPLIANCE PROGRAM	
05-24-2023	Capital Program Management	3345857	Construction Management Fees		Fund 21-9270	6272		\$14,549.75								
05-31-2023	Capital Program Management	3346396	Construction Management Fees		Fund 21-9270	6272		\$13,324.50								
06-12-2023	PG&E Energy	3347595	Gas		Fund 21-9270	5520				\$2,500.00						
						Category Totals:	\$0.00	\$27,874.25	\$0.00	\$2,500.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
						Construction Total:	\$30,374.25									
						Project Total:	\$327,617.70									
GRAND TOTALS																
A - SITE																
	PURCHASE PRICE OF PROPERTY	APPRAISAL FEES	ESCROW COSTS	SURVEYING COSTS	SITE SUPPORT COSTS	HAZARDOUS WASTE REMOVAL	OTHER SITE COSTS	DTSC FEES	POESSA/PEA COSTS	APPRAISAL FEES, ESCROW & SURVEYING COSTS						
Site:	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$95,884.70	\$0.00	\$0.00	\$0.00						
B - PLANNING																
	ARCHITECT/ENGINEERING FEES	DSA FEES	CDE FEES	ENERGY ANALYSIS	PRELIMINARY TESTS	OTHER COSTS										
Planning:	\$176,175.00	\$0.00	\$0.00	\$0.00	\$0.00	\$25,183.75										
C - CONSTRUCTION																
	MAIN CONSTRUCTION	CONSTRUCTION MANAGEMENT	DEMOLITION	OTHER CONSTRUCTION	INTERIM HOUSING	INSPECTIONS	CONSTRUCTION TESTS	FURNITURE & EQUIPMENT	LABOR COMPLIANCE PROGRAM							
Construction:	\$0.00	\$30,576.25	\$0.00	\$2,500.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00							
GRAND TOTAL (ALL CATEGORIES)																
Total:	\$330,319.70															

MEASURE Z CITIZENS' BOND OVERSIGHT COMMITTEE BYLAWS

Proposition 39 was approved by California voters in the November 7, 2000, general election and provides that the governing board of a school district may pursue the authorization and issuance of general obligation bonds by 55 percent vote of the electorate. As a result of the passage of Proposition 39, language was added to the Education Code requiring school districts passing a bond designated as a Proposition 39 bond to establish a citizens' bond oversight committee ("Committee") to actively review and report to the public on uses of bond proceeds to ensure that they are spent only on permissible purposes. In order to comply with these requirements, the District's Board of Education ("Board") shall establish a Committee to oversee the expenditure of bond funds in connection with any authorization of general obligation bonds pursuant to Proposition 39.

A. Committee's Purpose

The purpose of the Committee is to inform the public concerning the expenditure and uses of bond revenues. The Committee's legal charge is to actively review and report on the expenditure of taxpayer's money for school construction. The Committee shall convene to provide oversight of the following:


1. That bond revenues from Proposition 39 bonds adopted by a 55 percent vote of the electorate are expended only for the purpose described in Article 13A, section 1, subdivision (b)(3) of the California Constitution including the construction, reconstruction, rehabilitation or replacement of school facilities, including the furnishing and equipping of school facilities, or the acquisition or lease of real property for school facilities; and
- ① 2. That, for Proposition 39 bonds adopted by a 55 percent vote of the electorate, as prohibited by Article 13A, section 1, subdivision (b)(3)(A) of the California Constitution, no funds are used for any teacher and administrative salaries or other school operating expenses normally paid from the general fund; although salaries for personnel assigned to the bond program are allowable as described in applicable case law.

B. Committee's Duties

The Committee may engage in the following activities in furtherance of its purpose:

1. Receiving and reviewing copies of the annual performance audits required by Article 13A, section 1, subdivision (b)(3)(C) of the California Constitution.
2. Receiving and reviewing the annual financial audits required by Article 13A, section 1, subdivision (b)(3)(C) of the California Constitution.
- ② 3. Inspecting school facilities and grounds to ensure that bond revenues are expended in compliance with the requirements of Article 13A, section 1, subdivision (b)(3) of the California Constitution.
4. Receiving and reviewing copies of any deferred maintenance proposals or plans developed by the District, including any reports required by Education Code section 17584.1.

5. Reviewing efforts by the District to maximize bond revenues by implementing cost-saving measures including, but not limited, to the following:

- 
- a. mechanisms designed to reduce the costs of professional fees;
 - b. mechanisms designed to reduce the cost of site preparation;
 - c. recommendations regarding the joint use of core facilities;
 - d. mechanisms designed to reduce costs by incorporating efficiencies in school site design; and
 - e. recommendations regarding the use of cost-effective and efficient reusable facility plans.

C. Committee Operations

The Committee's legal charge is to review bond expenditures and to inform the public about the uses of bond proceeds. The Committee's purpose is an audit function rather than an advisory function. The Committee shall not have the authority to:

1. Participate in the bond sale and issuance process or make decisions concerning the timing, terms or structure of a bond issuance, except that the Committee may review the District's bond issuance documents upon the conclusion of a bond sale if desired.
2. Determine how bond funds shall be spent.
3. Select contractors or consultants for bond projects or participate in the negotiation or bid process for such contractors and consultants.
4. Enter or inspect a job site or construction project without prior permission of the District Superintendent or designee. Frequency and timing of all such visits are within the sole discretion of the Superintendent or designee. Visits to job sites require that the Committee member(s) be accompanied by a representative of the District and require that all safety measures in effect at the job site be followed.
5. Contact District contractors or consultants, including without limitation, accountants, auditors, architects, financial advisors and legal counsel, without the prior permission of the District Superintendent or designee.
6. Require the District to prepare reports or conduct audits more frequently than those required by law.

The Committee shall not be entitled to legal representation by District legal counsel or at District expense, unless permitted by the Board.

The Committee shall meet in accordance with a regular schedule, the dates of which shall be determined by the Committee. In its first year, the Committee shall meet no more than

quarterly; thereafter, the Committee shall meet at least twice per year. Committee members shall be available to attend Board meetings when performance and financial audits are presented. The Superintendent or designee shall act as staff to the Committee and attend Committee meetings. Members of the Board may attend as necessary or desirable. ~~The Chair shall call the roll of the Committee members at the beginning of each meeting.~~ Each Committee member shall sign an attendance sheet that shall be maintained by the person designated by the Chair.

The Committee's meetings are subject to the Ralph M. Brown Act, Government Code section 54950 et seq. Meetings shall be open to the public and noticed in the same manner as proceedings of the Board. An action item on the agenda may be approved by a simple majority of Committee members in attendance, as long as a quorum is present. ~~The Chair shall determine, in his or her sole discretion, the extent to which Committee meetings may be recorded or conducted electronically, provided that a~~All use of electronic or teleconference meetings shall be in accordance with the Brown Act. ~~Any person attending an open and public meeting of the Committee shall have the right to record the proceedings with an audio or video recorder or a still or motion picture camera, or to broadcast the proceedings, in the absence of a determination by the Committee Chair that the recording or broadcast cannot continue due to its noise, illumination or obstruction of view as to constitute a persistent disruption of the proceedings. Only such electronic recordings made at the direction of the Committee Chair shall be a public record subject to inspection pursuant to the California Public Records Act (Government Code Section 6250 et seq.).~~

Any member of the public present at a meeting may address the Committee, and the Committee shall comply with the standards of the Board for public participation in meetings.

The Committee shall annually select a Chair and a Vice-Chair and other officers as it determines, each for a one (1)-year term that may be renewed as determined by the Committee. When the Chair is absent from a meeting, the Vice-Chair shall perform the Chair's duties. Should the position of Chair become vacant, the Vice-Chair shall become the new Chair. Should the position of Vice-Chair become vacant, the Committee shall take action to select a new Vice-Chair. District staff shall keep minutes of each Committee meeting. ~~The duties and powers of the Chair shall include, in addition to the other duties and powers expressed in these bylaws, the following:~~

1. To call the roll of the Committee members and preside over each Committee meeting;
- ④ 2. To attend, or appoint another Committee member to attend, meetings of the Board at which Bond measure planning, revenue, expenditure, reporting, and related budgetary issues are on the agenda; AND....
3. To serve as spokesperson for the Committee in all representations of the Committee to the public, the Board, and the media, including, without limitation, determining which matters will be so communicated;
- ⑤ 4. To collect emails and communications from Committee members regarding topics of discussion or action for future meetings and to establish the agenda for each Committee meeting; and
.....
- ⑥ 5. To ensure that the Committee prepares and delivers regular reports on its activities, at least annually, as required by statute and these bylaws.

The minutes shall be distributed to each Committee member, and the Board, if requested, at the earliest reasonable date prior to the next subsequent meeting. Minutes of Committee proceedings, including electronic recordings of such proceedings and all documents received and reports issued, shall be a matter of public record. The Committee shall submit all documents, electronic recordings (or third-party hosted links to the same), proceedings and minutes to the District's webmaster for publication on the District's internet website for public and community information services.

The Committee shall prepare regular reports on its activities. A report shall be issued at least once each year summarizing its review of the District's bond program for the past year. Upon completion of all bond projects, the Committee shall prepare a final written report summarizing its activities and conclusions.

The Board shall, without expending bond funds:

1. Provide the Committee with any necessary technical assistance;
2. Provide administrative assistance in furtherance of the Committee's purpose; and
3. Provide the Committee with sufficient resources to publicize the Committee's conclusions.

The District may appoint District staff and consultants to serve as a resource to the Committee as needed to assist the Committee in carrying out its duties.

By Committee vote at any of its regular meetings, the Committee may form sub-committees for specific tasks. The Committee shall elect a chair of each sub-committee and provide written assignment goals for each subcommittee. Sub-committees may be subject to the Ralph M. Brown Act, pursuant to Government Code section 54952, subdivision (b).

D. Committee Selection and Composition

The Committee shall be comprised of individuals who either live or work within the boundaries of the District. The Superintendent or designee shall solicit applications for membership on the Committee, and in the event the number of applicants exceeds the number of spaces available, shall conduct interviews of interested and qualified citizens and make recommendations to the Board for appointments. The Board shall have the authority at its sole discretion to select and appoint the Committee, including the filling of vacancies that may occur during a Committee member's term. While the Committee must consist of at least seven (7) members, the Board shall determine the final size of the Committee.

As required by law, Committee membership shall include the following categories:

1. One (1) member shall be active in a business organization representing the business community located within the District;
2. One (1) member shall be active in a senior citizens' organization;
3. One (1) member shall be active in a bona fide taxpayers' organization;
4. One (1) member shall be the parent or guardian of at least one child currently enrolled in a school of the District; and

5. One (1) member shall be both a parent or guardian of at least one child currently enrolled in a school of the District and be an active member in a District parent-teacher organization, such as the PTA or schoolsite council.

No employee or official of the District shall be appointed to the Committee. Additionally, no vendor, contractor, or consultant of the District shall be appointed to the Committee. Members of the Committee shall, pursuant to Education Code section 35233 and 72533, abide by the prohibitions contained in Article 4 (commencing with Section 1090) and Article 4.7 (commencing with Section 1125) of Division 4 of Title 1 of the Government Code.

Committee members shall serve for a term of two (2) years without compensation, except that in the first year, the Committee shall have several members who are appointed for one year, to establish a staggering of terms for the life of the Committee such that, to the extent practicable, no more than four (4) Committee members have terms that expire at the same time. From time to time, the Chair of the Committee may recommend to the Board that the term of any new Committee member to be appointed by the Board be for one year only, to achieve a balanced staggering of terms of Committee members. Committee members who wish to be appointed for a second or third two-year term shall reapply to the Board for consideration. Committee members shall receive no remuneration for their participation on the Committee. Members of the Committee may be appointed by the Board, in its discretion, for no more than three (3) consecutive terms as specified by applicable law.

E. Resignation of a Committee Member: Replacing a Committee Member

Members ~~should~~ are required to attend all regularly scheduled meetings. Members are expected to share responsibilities for carrying out the work of the Committee and abide by Board policies and administrative regulations. The Committee will advise a Committee member in writing that he/she is in violation of Committee participation requirements if the Committee member fails to attend two (2) consecutive regularly scheduled meetings without acceptable reason announced in advance.

A Committee member may resign from the Committee upon at least thirty (30) days advance written notice to the Board with a copy to the Committee Chair. A new Committee member will be named by the Board if one or more of the following events occurs:

1. The Committee member submits a written resignation to the Board with a copy to the Committee Chair;
2. The Committee member misses two (2) consecutive Committee meetings without acceptable reason communicated to, and approved by, the Committee Chair in advance of the subject meeting; or
- 8- 3. The Committee approves a noticed motion to remove a member for cause, including (i) non-attendance at meetings, (ii) repeated behavior of a member that disrupts the Committee as a whole from functioning as required, (iii) actions of a member otherwise violating these Bylaws, (iv) failure to comply with Articles 4 (commencing with Section 1090) and 4.7 (commencing with Section 1125) of Division 4 of Title 1 of the Government Code, and/or (v) violating the Committee's Code of Conduct a copy of which is attached as Attachment A to these Bylaws. A motion to remove a member must be properly agendized for consideration, and shall be approved by an affirmative vote of not less than two-thirds of the members present at a Committee meeting that has established quorum for the conduct of business. The motion and its result

shall be communicated in writing to the Committee member under consideration and to the Board President within one week after the meeting during which the motion was approved. Removal of such member shall be effective upon passing the motion.

An individual who replaces such a Committee member shall serve until the completion of the original member's term. Thereafter, the member must apply for an additional term if she/he wishes to remain on the Committee. A member who is replaced may appeal to the Board for the Board to reappoint that person to the Committee.

A Committee member who no longer serves as a representative of the designated group she/he was appointed to represent (e.g., ceases to be active within a taxpayers' organization, or ceases to have a child enrolled in the District) shall be allowed to complete his/her term. However, that Committee member shall not be entitled to serve a subsequent term as a representative of the designated group.

⑨ Within sixty (60) days of being notified of a Committee vacancy, the Board will appoint a new member to complete the term of the vacancy following the process used to select the original Committee members.

⑩ Committee members shall be subject to prohibitions regarding incompatibility of office pursuant to Government Code sections 1125-1129 and financial interest in contracts pursuant to Government Code sections 1090-1099.

F. Rules of Procedure

Committee meetings shall be conducted with courtesy and decorum and in accordance with Robert's Rules of Order.

G. Amendment

These Bylaws may be amended by majority vote of the Committee at any regular meeting at which said amendment is placed on the agenda and a quorum is present. Amendments must be consistent with District Board Policy and applicable legal requirements.

H. Code of Conduct

The Committee adopts a Code of Conduct in the form attached as Attachment A hereto. Each Committee member shall be bound by the Code of Conduct by virtue of being appointed to the Committee. Amendments to the Code of Conduct shall be made as an amendment to the Bylaws in accordance with Section G hereof.

LEGAL REFERENCE

EDUCATION CODE

15278-15282 Citizens' Oversight Committee

15284-15288 Bond Accountability

GOVERNMENT CODE

54950 et seq. Meetings

1125-1129 Incompatible Activities

1090 et seq. Prohibitions Applicable to Specified Officers

CALIFORNIA CONSTITUTION

Art. XIII A, section 1(b)

Art. XVI, section 18(b)

Revised: _____, 2022.

West Sacramento, California

Attachment A

WASHINGTON UNIFIED SCHOOL DISTRICT MEASURE Z CITIZENS' BOND OVERSIGHT COMMITTEE

CODE OF CONDUCT

The following is expected of every member of the Washington Unified School District Citizen's Bond Oversight Committee ("Committee"):

1. Regularly attend all Committee and subcommittee meetings and, if I cannot attend, call or email the Committee Chair (or Vice Chair, as appropriate) in advance to give notice. I understand that absence from a meeting may only be excused for a reason determined to be acceptable in the sole discretion of the Committee Chair (or Vice Chair, as applicable).
2. Be prepared for each meeting, including reviewing agenda items and meeting packets in advance of meetings.
3. Stay focused on the statutory purposes of the Committee.
4. Be familiar with Robert's Rules of Order, including the requirements to be courteous and respectful during all Committee meetings.
5. Faithfully observe the Brown Act, the Bylaws of the Committee, District Board policies, Robert's Rules of Order, all applicable laws and this Code of Conduct.
6. Always direct questions of District staff through the Committee Chair, subcommittee Chair, or the respective designees.
7. Avoid any personal or financial conflicts of interest. I further agree that I shall not make or influence a District decision related to: (1) any contract funded by bond proceeds, or (2) any construction project which will benefit my outside employment, business or personal financial interests, that of an immediate family member, such as a spouse, child or parent. As a Committee member, I shall place the interest of the District above any personal or business interest.
8. Not speak for the Committee, unless specifically assigned or approved to do so.
9. If invited to speak to the public as a member of the Committee, speak in the company of at least two other Committee members. I further agree (i) to make it clear to the requester that the delegation does not represent the Committee as a whole (unless such representation is specifically approved by the Committee) and (ii) provide at the next Committee meeting, in conjunction with other Committee members who were present at such public invitation to speak, a report of the substance of any such communication with the public.
10. Observe all District policies and rules relating to safety and site access, including advance approval and coordinated through the District of any site visits or inspections.

Measure Z CBOC

Member Document Review

Date: January 23, 2023

📅 **Revised:** March 9, 2023

Document: Measure Z Citizens Bond Oversight Committee Bylaws

Generated by Measure Z CBOC Member: Kazys Shukis

Preface:

Several general concerns arise upon reviewing these Bylaws.

- First, as a resident of the WUSD I found that my ability to contact District personnel was limited once I joined this CBOC.
- Second, I also, as a CBOC member, find these Bylaws limit my ability to contact schools, PTA as well as media personnel without ‘permission’ from the CBOC membership which I had a right to contact without limitations as a resident.
- Third, it is nice to see the district has finally made requests for members to fill the three vacant committee member positions required by State law (Ed. Code 15282). It has been months since these positions have been vacant and Measure Z (and apparently Measure V) funds continue to be expensed without full Oversight as required by law Ed. Code 15278 – 15282. As a result, it is my opinion the legal Oversight of this Bond as mandated by Ed. Code 15278 – 15282 is in current jeopardy.

The following are my observations of this Bylaws document:

- 1) Para A (2): There’s no “applicable case law”. There’s an “Opinion” (04-110) generated by a previous State AG that is not legally binding. That isn’t ‘case law’. Please include reference numbers whenever you reference case law in a document.
- 2) Para B (3&4): Please direct the District to provide a schedule for the “inspection of school facilities and grounds” and a schedule for the “review of copies of any deferred maintenance proposals or plans developed by the district, including any reports required by Ed. Code section 17584.1”. These schedules will allow this CBOC to comply with Ed. Code section: 15278.
- 3) Para B (5)a-e: Please have the district schedule a CBOC review of items a through e as required by Ed. Code section 15278.

- 4) Under 'Duties of the Chair': ADD 'and report back to the committee' to line item #2
- 5) Under 'Duties of the Chair': ADD after the word 'establish' on line #4 the following ... 'and distribute to the CBOC for review'.
- 6) Under 'Duties of the Chair': ^{LINE #5} ADD after the word 'by' Ed. Code section 15278.
- 7) Para E: ADD location / link ID of the Board 'Policies and administrative regulations'. Please do not identify the district web site alone but identify the actual page of each of the 'Policies and administrative regulations'.
- 8) Para E (3): DELETE this paragraph since the Board alone has the authority to remove a CBOC member since they alone selected each member.
- 9) Para E (Paragraph starting with 'Within'): This document doesn't have the authority to tell the Board what they can do. Only State laws (Ex: Ed. Code 35160 / 61) cover Board actions.
- 10) Para E (Paragraph starting with 'Committee'): This line item relates to District 'Employees' and has nothing to do with non-paid Volunteers on a CBOC committee. Please DELETE.