



## Proposition O Citizens' Bond Oversight Committee Minutes

September 6, 2012

Southwest High School Cafeteria

1. Meeting called to order by Nick Marinovich at 6:07 p.m.

Roll Call:

Nick Marinovich – Present

Kevin O'Neill – Present

David Butler – Present

Guillermo Camarena – Present

Bernardo Vasquez – Present

Dr. John Grubb – Present

Terrance McKearney – Present

Jim Morris - Present

2. Pledge of Allegiance
3. Each took a minute to introduce themselves.
4. Approval of Meeting Minutes of 9/06/12.

**Public Comment: Ms. Cheers**, appreciated detailed minutes, asked why the letter from Dr. Brand on website, than was not there, CBOC website contact us button, not working. **Mr. Calhoun** addressed the fact that new website just went live on 8/27/12, still some links that are being worked on. Letter was on old site and should be re-loaded on new site.

5. Reports from CBOC Chair

**Mr. Marinovich**, informed all that he meets with Tom Calhoun and Paul Woods once a week, talk about what happened in the last meeting, pending issues, or what happened at the last board meeting. He attended grand opening of Southwest High School. Great turnout; everyone looked happy.

6. CBOC Sub-Committee Update

a. Annual Report Sub-Committee Update, **Mr. Vasquez** and Mr. Butler, met with Mr. Woods, to finalize the review and report, wrote the chairman's letters, turned over to Mr. Woods. **Mr. Woods**, explained how the old annual reports where created on Adobe Illustrator, but it is not good for editing, they need to be recreated in a more user friendly format, and will have it available for next meeting. **Mr. Vasquez**, asked the chair if they could get a time certain commitment from the district to have reports by next CBOC meeting 10/13/12, have a copy a week before to review, **Mr. Woods** confirmed it would be ready by 10/5/12.

b. Sub-Committee formation, **Mr. Marinovich**, commented that this is active and involved committee, with new members there will be more work, we need sub-committees to deal with issues that arise. **Mr. Vasquez**, made recommendations for expense review committee to look at individual projects, so committee would give us updates on where each project stands, money spent; remaining and left over, CBOC has been asking for financials for the

last six months. **Mr. Vasquez**, made a motion to amend the motion for district to provide CBOC monthly financial reports at least 48 hours before each BOC meeting, and should be consistent with those that have been provided motion 2<sup>nd</sup> by Chair, N. Marinovich. **Mr. O'Neil**, wondered why this motion is being done, **Mr. Butler**, mentioned to get back on track let's make sure we have what we want as far as financials go. **Mr. Morris**, let's do sub-committees on a as needed basis. **Mr. Calhoun**, explained how financials are prepared, district has had lots of changes, new CFO. If CBOC requested information we should have it within our prevue in 30 days, issue have not got financials for six months. **Mr. Vasquez**, ask to amend the motion to ask the district to provide us with monthly financial reports at least 48 hours before each CBOC meeting, and financial reports should be consistent with those that have been forwarded, to provide enough detail for us to see financial status of each project; 2<sup>nd</sup> by Chair **N. Marinovich**. **Mr. O'Neil**, made motion that we can panel a standing sub-committee referred to as Finance two or three members, 2<sup>nd</sup> by motion passes unanimously. Finance committee David Butler; Jim Morris and Terry McKearney.

**Public Comment: Ms. Cheers**, made comments about the district, referring to prop BB, a gym built at MVH & SUH with no taxpayer involvement. Master plan should include people; teachers within the schools.

**Mr. Vasquez**, explained the motion he made earlier ended up doing exactly what we wanted to do, forming a sub-committee, asking for financials before each of our BOC meetings, maybe out of date; maybe not quit current, puts the accountability; verifiability and the responsibilities as a district to make sure these are done, so they may be researched carefully.

**Mr. Marinovich**, referred to the iPad issue. The district didn't have a strategic plan why they made this purchase or what their needs were it could it have been done with something else, that's were a master plan committee comes in.

**Mr. O'Neil**, made a motion regarding a Master plan sub-committee (John Grubb; Kevin O'Neil & Gil Camarena) to be involved and aware of ongoing mistakes master planning this motion passed.

7. Consideration of CBOC position on District refusal in providing requested resources, **Mr. Marinovich**, Spoke about the letter to the board that he got response to; concerned that as committee we need to have provided by the district the resources to do our job as an Oversight Committee. 1) Financial consultant to be called on as needed; 2) Legal services as needed; 3) Select forensic audit (what was it like before and after seville) opened this up for discussion.

**Mr. Morris**, feels that the district is providing resources. They are providing Tom Calhoun, Paul Woods and Administrative Assistant, when asking district for things, we should ask in a way that says, this is what we want and, this is the cost; this is what other people are doing. Lets' do homework before asking for extra stuff. **Mr. O'Neil**, upset with Dr. Brands response on letter and not giving or taking request into any consideration, because there is no money and or not going to the board regarding these requests.

**Mr. Vasquez**, commented on some history, in January when Program Manager was fired, two of the Trustees were under indictment and prior Superintendent under indictment, as Chair of CBOC I had no resources to go to, having an independent counsel would have been nice to do an assessment were prop o stands and the committee stands, we do have to be fiscally responsible, formation of sub-committees and this is an item that should be an item that's tabled at continuously discussed on a monthly basis. There is still is a transparency and trust issue, still fighting to pull information. **Mr. McKearney**, spoke about letters to superintendent and

president of school board, who has never answered, but did receive response from Dr. Brand saying no to request.

**Mr. Marinovich**, feels that the funding request should be considered by board of trustees and not have the Superintendent just say no. **Mr. O'Neil**, agrees with Mr. Marinovich, this should go to them, and instead ask what kind of budget do you have, how much will this cost. The Superintendent is acting on this with authority; we're not here at his convenience. **Dr. Grubb**, also agrees, that sending a request and not getting a response back is inappropriate, the board appointed us so they should also respond.

**Mr. Calhoun**, made couple of points, going back to By-Laws, Resolution 3543, adopted 2006 of July, amended 4/16/12 item 12, read how the by-laws read as to board delegating superintendent and designees to assistant board in implementing business of the CBOC.

**Public Comment: Ms. Cheers**, informed CBOC she is not a happy camper, not happy with starting everything over, after she's given (3) years of her life, addressed Mr. Morris, being a friend of Dr. Brand and who lives in La Jolla, I would have come to listen verses speaking, prop o money was borrowed and district forgot to pay them back! Did everyone know this. Addressed financial reports, no label, what do the numbers mean? Regarding issues with the website, her patience is gone and wanted all to know.

**Public Comment: A Parent**, spoke and said, this committee has been working hard to get information, continued her discussion regarding moneys not going to support students; teachers; to condition classrooms., etc.,

**Public Comment: Ms. Brinkman**, stated, finally we get a BOC who wants transparency, and we thought we didn't need to speak at board meetings anymore, but with new people, and those that have already been here and want to start over what everyone has gone thru, feels that this is wrong.

**Public Comment: Mr. Payne**, still concerned about the Bond Program, even before it was passed, spoke of assessed value on east compared to west side. First bond sales, east budget 5 schools \$18 million, appreciates the efforts of the five CBOC members who have started the work to fix it moving forward, starting to make district accountable, please do not let this start all over.

**Mr. Butler**, thanked new members for volunteering, district employees are doing all they can to get us what we need, with resources available. Was also concerned that when SGI was let go, the district would not be able to pick it up where they left off. CFO assured us that everything would be fine, problem is the basic philosophy being pushed by Dr. Brand that business is going to continue as long as he is charge. Then the 700 form is requested by Dr. Brand.

**Mr. O'Neil**, commented on the fact that, board created the CBOC, we are oversight and feels the only way of getting attention from the board, is a vote of no confidence right now in his relationship with this BOC, and put it on the table for vote, motion 2<sup>nd</sup> by **Mr. Vasquez**. **Mr. Butler** agreed on motion of no confidence. **Mr. McKearney/Dr. Grubb**, Abstained from vote after two week onboard, agree on reasonable request and has not seen answers to those questions. Motion of no confidence passed 5 to 3 abstained by new members. **Mr. Marinovich** will modify letter to directly respond to letter received to you by Dr. Brand. All spoke about how to modify letter. **Mr. O'Neil**, asked that in the modification of letter to go to board for discussion about why it can't be funded.

**Mr. O'Neil**, First motion that this Committee will send Nicks draft letter in our names; will make modification appropriate to the response received from Dr. Brand. **Mr. Butler & Mr. O'Neil** and we repeal previous action, unanimously passed. Second motion is we send a letter to the board.

8. Project Status Report/Look forward to potential project controversies or issues **Mr. Calhoun**, mentioned under staffing down 2 project managers, (17 people when SGI was here) will be looking to employ 1 clerk and 2 Contract Specialist, someone who knows public contract codes/particular school construction, going to the board Sept. 24, 2012.

**Mr. Marinovich**, Questioned whether the board or superintendent can say NO we are not going to fund it. Read by-laws and clause there delegating to the superintendent to saying no. This is a policy issue, we can be more specific on exactly what the scope of work should be for the forensic audit and independent consultant. **Mr. O'Neil**, clarified that Mr. Marinovich will make modifications to letter with direction that it goes to the board for discussion about why it can't be funded.

**Public Comment: Ms. Cheers**, Thanked Mr. Calhoun, for admitting that there is an issue with Solar. Also requested for district budget of employees working on prop o, to see how much prop o money is used for salaries; and inspection cost for the soil. **Mr. Camarena/Mr. Vasquez**, met with D. Russo, received documents, which allocated by percentages or dollars, by using district employees in this program, can provide for the sake of consistency to Ms. Cheers.

**Mr. Marinovich**, informed the Committee the letter from Christy White and signed by Chief Financial Officer stating that no Prop O funds are being funded for operations. He also added the fact that this is a major accomplishment and that the committee is almost filled with all nine members. **Mr. O'Neil**, mentioned that we do need to find that last member soon. Also noted that members ask to change Saturday, 9:00 am meetings as they do not work for many of the members, and see if another date can be found.

The next CBOC meeting is scheduled for Thursday, October 11<sup>th</sup>, Montgomery Middle School, Construction Site, 1051 Picador Blvd., San Diego, CA 92154

9. The meeting was adjourned at 8:30 p.m.

10. Adjourn