



Meeting of the Citizens Oversight Committee
October 19, 2011 – 6:00 p.m. – Emery Bay Village Community Room
160 Emery Bay Drive, Emeryville

Emery Unified School District Guiding Principles:
We Hold High Academic, Social, and Professional Expectations
We Create a Sense of Family
We Inspire and Support Innovation to End Racist and Classist Practices

PUBLIC AGENDA

A. OPENING CEREMONY/ROLL CALL (approximately 6:00 p.m.)

Brian Carver, Chair
Charlie Schuman, Vice Chair
Francisco Aalbers, Member
Lisa Carlisle, Member
Betsy Cooley, Member
Matt Johnson, Bona Fide Tax Payer Asso. rep
Mitchell Fine, Member
Ron Henry, Member
Judy Inouye, Member
Joy Kent, Member
Marcelline Krafchick, Member
Kelly Maddox, Member

Dave Martinez, Member
Tom Rauch, Member
Barbie Robinson, Member
Andrea Sanchez Cortez, Member
Rodney Wong, Member

Staff

Dr. Debra Lindo, Superintendent of Schools
Roy Miller, Project Director
Dr. Hayin Kim, Director of Community and Youth
Engagement

B. APPROVAL OF AGENDA (approximately 6:05 pm)

C. APPROVAL OF MINUTES (approximately 6:08 pm)

D. REPORTS (approximately 6:10 p.m.)

- I. Superintendent's Report
- II. COC Chairperson's Report
- III. EUSD Staff Comments

E. VISITORS – Public comment for items NOT on the agenda (approximately 6:20 p.m.)

Citizens Oversight Committee Procedures: Community members are encouraged to attend Citizens Oversight Committee meetings. Each agenda contains a "Visitors" section, to allow for public comment on items NOT listed on the agenda. Public comments on items that ARE on the agenda will be taken at the time of the item. When recognized by the COC Chair, speakers are asked to limit their comments to three (3) minutes.

This is a public meeting. Under the Ralph M. Brown Act, any person has the right to record these proceedings with an audio or video tape recorder so long as they do so without causing a persistent disruption. Cal. Gov. Code 54953.5(a). Please note that an official audio recording of the meeting is taking place and is available upon request to the Emery Unified School District. All writings that are public records and relate to an agenda item below which are distributed to a majority of the Oversight Committee (including writings distributed to a majority of the Oversight Committee less than 72 hours prior to the meeting noticed below) will be available at the Emery Unified School District, 4727 San Pablo Avenue, Emeryville, CA during normal business hours (8am to 4pm, Monday through Friday, excluding legal holidays) and at www.emeryvillecenter.org. Cal. Gov. Code. 54957.5(a)-(d).

- F. COC ACTION/DISCUSSION ITEMS (approximately 6:25 pm), PUBLIC COMMENT INVITED
 - 1. COC Review of September 2011 Financial Reports (10 minutes)
Roy Miller and Terri Ryland will present the September financial information and the revisions made to the July financial information.
 - 2. COC Review of September 2011 Engagement Activities (10 minutes)
Dr. Kim will present information relating to engagement activities for September 2011.
 - 3. COC Sub-committees (10 minutes)
COC will discuss whether there are further needs for sub-committees or designees from the COC membership beyond what was established at the August 2011 COC meeting.
 - 4. QSCB Financing (10 minutes)
Roy Miller will present information to the COC on the Qualified School Construction Bond financing.
- G. NEXT COC MEETING AGENDA ITEMS (November 16, 2011)
- H. COC CHAIR REPORT TO CITY-SCHOOLS
- I. COC COMMITTEE MEMBER COMMENTS
- J. CALENDAR REVIEW
- K. ADJOURNMENT

Pursuant to the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990, any individual with a disability who requires reasonable accommodation related to COC meetings, may request assistance by contacting the Office of the Superintendent at (510) 601-4906.



Meeting of the Citizens Oversight Committee
September 21, 2011 – 6:00 p.m. – Emery Bay Village Community Room
160 Emery Bay Drive, Emeryville

Emery Unified School District Guiding Principles:
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PUBLIC AGENDA

A. OPENING CEREMONY/ROLL CALL (approximately 6:00 p.m.)

Brian Carver, Chair
Charlie Schuman, Vice Chair
Francisco Aalbers, Member
Lisa Carlisle, Member
Betsy Cooley, Member
Member active in a bona fide taxpayers' organization: VACANT
Mitchell Fine, Member
Ron Henry, Member
Judy Inouye, Member
Joy Kent, Member
Marcelline Krafchick, Member
Kelly Maddox, Member **(ABSENT)**

Dave Martinez, Member
Tom Rauch, Member
Barbie Robinson, Member **(ABSENT)**
Andrea Sanchez Cortez, Member **(ABSENT)**
Rodney Wong, Member

Staff

Dr. Debra Lindo, Superintendent of Schools
Roy Miller, Project Director
Dr. Hayin Kim, Director of Community and Youth Engagement

B. APPROVAL OF AGENDA (approximately 6:05 pm) – No Changes.

C. APPROVAL OF MINUTES (approximately 6:08 pm)

1. August 17th Minutes:

- a. **Rephrase Section C-II:** “Joy elected...” to “Joy **appointed**...”
- b. **Rephrase Section E:** Change language to better reflect COC’s role regarding expenditures: The COC “**expresses opinions on the appropriateness of**” rather than “approving/not approving” expenditures.

****Amended Minutes Approved (Motion: B. Carver, none opposed)**

2. August 23rd Minutes:

- a. **Clarification Sec. E.I.3:** “**Incorporate EUSD’s 3 Guiding Principles into the opening of the resolution** to help guide policies for community engagement.”

****Amended Minutes Approved (Motion: B. Carver, Second: R. Henry, none opposed)**

D. REPORTS (approximately 6:10 p.m.)

1. Superintendent's Report

- a. Last Thursday, EUSD had a celebratory passing of check to the State, and returning the School District back to local control. Big Thank You for everyone's efforts.
- b. Fine tuning instructional elements to ensure positive experiences for every student every day:
 - Teaching to an objective
 - Monitoring student performance
- c. Emery Secondary first Club Rush; Anna Yates has new drama club.
- d. Anna Yates: 60-70 Peacemakers being trained with conflict resolution strategies, grades 3-7.
- e. Board presentations by Principal Jag and Principal Allen: strategies to ensure high performance.
- f. EUSD 99% whooping cough vaccinated
- g. State Controller CA Cash Balance report shows a shortage; keeping an eye on school disbursements and potential cuts.

2. COC Chairperson's Report

- a. Report to City/Schools about COC's commitments, activities, and reminder of current vacancies.
- b. Want to discuss Sub-committees; use "I. COC Committee Member Comments" for further feedback and comments
- c. Governor passed SB423 → audit report due to oversight committees by March 31st.
- d. How to improve communications re: websites, link to ECCL site on EUSDE site, ECCL regular web updates on COC minutes/recordings.

3. EUSD Staff Comments

- a. Staff has been working to find a solution to posting ECCL website updates.
- b. Community Design Workshop – Staff appreciates and thanks you for the outstanding support!
- c. COC vacancy will be discussed at the next School Board meeting, Monday Sep. 26th.

E. VISITORS – Public comment for items NOT on the agenda (approximately 6:20 p.m.) - None

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F. COC ACTION/DISCUSSION ITEMS (approximately 6:25 pm), PUBLIC COMMENT INVITED

1. COC Review of July and August 2011 Financial Reports (10 minutes)

Roy Miller and Terri Ryland (new interim CBO) will present the August financial information and the revisions made to the July financial information.

- a. Explanation on differences between monthly year-to-date actual reports, reason being it takes time for the books to close.
- b. **COC requests more information on issuance policies re: legislation that allows District to spend Measure J money on cost of issuance.**

- c. Bond money in 2 locations: LAIF (\$20M) and County Treasurer (\$4M).
Q: Is money in LAIF safe? What is the insurance/guarantee on the principle? What are the risks?
 - d. Suggestion to expedite financial reports: Raise hand, ask question, and see if staff has immediate answer. If not, write down questions to be addressed at next meeting.
 - e. Discussion on which Bond Project categories are appropriate for sub-categories in assisting COC to ensure that expenditures follow Bond requirements. Something for Finance subcommittee and CBO to figure out together?
 - f. **No opinion reached yet for August Warrants.**
2. COC Review of July and August 2011 Engagement Activities (10 minutes)
Dr. Kim will present information relating to engagement activities for the months of July and August.
- a. Some members interested in having feedback and presentation material from Community Design Workshop 2 in next COC meeting packet.
3. COC Sub-committees (20 minutes)
Superintendent Lindo will present a proposal for COC discussion regarding sub-committees: Committee appoints a designee from the COC membership to work closely with project staff on topical areas as Finance, Community Engagement, and Scope of Work. The COC will also discuss alternative subcommittee structures it might wish to adopt.
- COC discussed the idea of having one main contact for each of the three (3) topical areas of interest; contacts will meet other committee volunteers for further discussion on an as-need basis. Members volunteered to take on designee roles, and are as follows:
- i. Finance with Terri, CBO: Charlie Schumann
 - ii. Community Engagement with Hayin, Director of Community and Youth Engagement: Judy Inouye
 - iii. Scope of Work with Roy, Project Director: Dave Martinez
- Sign-up sheets for each area will be at next meeting.
****APPROVED (Motion: M. Krafchick; Second: R. Wong; Opposed: B. Carver; Abstain: R. Henry)**
4. QSCB Financing Opportunity (10 minutes)
Roy Miller will present information to the COC on the Qualified School Construction Bond financing opportunity.
5. COC Meeting Location (5 minutes)
COC will discuss the location for upcoming regular monthly COC meetings.
- Meetings will continue to be at Emery Bay Village.
6. COC Discussion of the "VISITORS: Agenda Section E" Disclaimer Language (5 minutes)
COC will review and discuss the disclaimer language in Agenda Section E to resolve any questions or issues related to that language.
- "By law, COC members may not enter into discussion nor take action on any item not previously published on the agenda."
- **Sentence to be removed from future COC Agendas, Section E (Motion: B. Carver, no objection)**

G. NEXT COC MEETING AGENDA ITEMS (October 19, 2011)

1. Sub-Committee Structure with Sign-Up sheet
2. QSCB presentation
3. Financial report
4. Community Engagement activities

H. COC CHAIR REPORT TO CITY-SCHOOLS

I. COC COMMITTEE MEMBER COMMENTS

1. Community Design Workshops have been great. Want to see more new faces. Continue outreach efforts.
2. The library was a main concern in both workshops. Questions were not phrased to enable adequate conversation on the topic.
3. Concern about mixed-use/shared-space brought up.
4. Understanding that it's not possible to address ALL concerns in a 3-hour workshop, "Parking Lot" space was provided, was and should be utilized to give input and ask questions.

J. CALENDAR REVIEW

K. ADJOURNMENT (8:15PM)

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Measure J Bond Expenditure Report #4

October 19, 2011

Report Narrative:

- Items on the warrant list include costs for iPads and salaries of staff that work on the bond project.
- The total expenditure schedule has been adjusted slightly in category “a. Construct, Furnish and Equipment Facilities”. The budget for unassigned bond program costs such as bond audit fees, consultants and contracted services was inadvertently left off of the spreadsheet in the past. This budget for \$75,000 was part of the Adopted Budget and has not had any expenditures posted against it.

Measure J: ECCL Actual Expenditures as of September 30, 2011

	notes	2011-12 Adopted Budget	Revised Budget	Encumbrance	Year-to-Date Prior Month	Year-to-Date Current Month	Activity for Month	Balance
Bond Projects								
a	1	1,871,000.00	1,877,258.00	157,518.27	57,920.75	90,704.18	32,783.43	1,629,035.55
b		2,200,000.00	2,200,000.00	341,850.00	0.00	0.00	0.00	1,858,150.00
c		0.00		0.00	0.00	0.00	0.00	0.00
d		0.00		0.00	0.00	0.00	0.00	0.00
e		0.00	14,483.00	260.12	3,195.00	3,434.88	239.88	10,788.00
f		0.00		0.00	0.00	0.00	0.00	0.00
g		0.00		0.00	0.00	0.00	0.00	0.00
h		670,000.00	760,238.00	11,323.42	32,645.94	50,885.14	18,239.20	698,029.44
i		0.00		0.00	0.00	0.00	0.00	0.00
j		250,000.00	250,000.00	0.00	0.00	0.00	0.00	250,000.00
k		0.00		0.00	0.00	0.00	0.00	0.00
l		0.00		0.00	0.00	0.00	0.00	0.00
m		0.00		0.00	0.00	0.00	0.00	0.00
Total		4,991,000.00	5,101,979.00	510,951.81	93,761.69	145,024.20	51,262.51	4,446,002.99
Payroll							30,888.87	
Non-payroll expenditures							20,373.64	
Other transfers or journal entries							0.00	
Total Activity for Month							51,262.51	

¹ Budget was adjusted to include \$75,000 budget lines not coded to specific "a to m" components of project - i.e. bond audit fees, consultants and contracted services.

Measure J Accounts Payable Warrants
September 1 through September 30, 2011

Check Number	Date Paid	Payee	Description	Amount
50050519	09/01/2011	Office Depot	misc office supplies	307.02
50052070	09/15/2011	Office Depot	misc office supplies	119.61
50052454	09/20/2011	Office Depot	misc office supplies	54.36
50053795	09/27/2011	Office Depot	misc office supplies	46.07
50052457	09/20/2011	US Bank	iPad Software on credit card	239.88
50051029	09/08/2011	Apple Computer Inc	iPads	9,441.95
50051046	09/08/2011	Senyx LLC	iPad covers	3,197.25
50052064	09/15/2011	City of Emeryville	Senior Center bus rental for fieldtrip	325.00
50052065	09/15/2011	Community Network for Youth De	Final contract payment for 2010-11 work	1,042.50
50053785	09/27/2011	Bel Construction	completion of ESS seismic fire sprinkler bracing	5,600.00
	09/30/2011	Admin Program Assistant	Sept 2011 Payroll	4,478.00
	09/30/2011	Business Office	Sept 2011 Payroll	2,709.17
	09/30/2011	Community Youth Director	Sept 2011 Payroll	10,005.55
	09/30/2011	Director, ECCL Project	Sept 2011 Payroll	13,696.15
				51,262.51

Measure J Cash Balance
As of September 30, 2011

	Cash with County Treasurer	Cash With LAIF	Total
Sale of Bonds	\$25,499,599.80	\$0.00	\$25,499,599.80
Transfer to LAIF	(\$20,000,000.00)	\$20,000,000.00	\$0.00
June Warrants	(\$996,478.85)	\$0.00	(\$996,478.85)
Balance as of June 30, 2011	\$4,503,120.95	\$20,000,000.00	\$24,503,120.95
Prior Year Accounts Payable	(\$131,155.39)		(\$131,155.39)
July Warrants	(\$55,687.64)	\$0.00	(\$55,687.64)
Balance as of July 31, 2011	\$4,316,277.92	\$20,000,000.00	\$24,316,277.92
August Warrants	(\$182,982.88)	\$0.00	(\$182,982.88)
Balance as of August 31, 2011	\$4,133,295.04	\$20,000,000.00	\$24,133,295.04
September Warrants	(\$51,262.51)	\$0.00	(\$51,262.51)
Balance as of September 30, 2011	\$4,082,032.53	\$20,000,000.00	\$24,082,032.53

ECCL Community Engagement Work

Focused work to encourage broad and diverse participation in the ECCL development process

- **Defining Community**
 - Youth
 - Staff
 - Residents/Neighbors
- **Web presence**
 - Continued refinement of website
 - Adding new information
- **Mailings and information**
 - Developing flyers, posters, door hangers, magnets
- **Community Design Workshops**
 - Completed: CDWs 1 and 2
 - CDW 3: October 13th
 - Full schedule as published
- **Fellows Program**
 - 14 applicants – including youth, residents, business, EUSD/City staff
 - Orientation and workshops to begin in late October
 - October: Program history: Community schools, K-12 educational program
 - November: Community organizing strategies
 - December: K-12 educational program experts
 - Lighthouse, Head Royce visits
 - January: Library, Joint-use
 - Library field trip
 - February: Evaluation success
 - March: Building and Construction
 - April: TBD
 - May: Coalition for Community Schools National Conference
 - June: TBD
- **EUSD/City Staff outreach**
 - Staff meetings
 - Staff boards
- **Coordination with other Community Engagement Resources**
 - Nexus
 - Darolyn Davis
 - Library consultants
 - Turner
 - EUSD program development
 - National Equity Project (NEP), Partners in School Innovation (PSI)
 - Family Resource Center

Project Funding Opportunity for Emeryville Benefit

QSCB

(Qualified School Construction Bonds)

QSCB Financing for ECCL



JACK O'CONNELL
State Superintendent
of Public Instruction

Qualified School Construction Bonds Overview

- Tax credit bonds that were created by the American Recovery and Reinvestment Act (ARRA) of 2009
- Provides federal tax credits for bondholders in lieu of interest
- This is not a grant, it is a tax credit

QSCB Financing for ECCL



JACK O'CONNELL
State Superintendent
of Public Instruction

Qualified School Construction Bonds Overview

- Qualified School Construction Bonds (QSCB) are defined as any bond issued if:
 - 100 percent of available project proceeds are used for:
 - Construction, rehabilitation, or repair of a public school facility
 - For the acquisition of land on which a facility will be constructed using QSCB

QSCB Financing for ECCL



JACK O'CONNELL
State Superintendent
of Public Instruction

Qualified School Construction Bond 2010 CDE Program

- Maximum of \$25,000,000 authorization per district or county office of education
- No minimum for bond authorization

QSCB Financing for ECCL



JACK O'CONNELL
State Superintendent
of Public Instruction

Qualified School Construction Bond Issuance

- Within six months of issuance the school district or COE must be under contract for use of available project proceeds equal to 10%
- Proceeds expended within three years of issuance
- Thirty days after the completion of the expenditure the district or county office of education shall submit a completion report to the CDE

17

QSCB Financing for ECCL: Opportunity

- **Enormous opportunity to achieve very significant savings for Emeryville tax payers (potentially +\$10,000,000 in savings)**
- EUSD has received an allocation
- EUSD applied for max QSCB allocation amount (\$25,000,000)
- Financial analysts currently determining EUSD's max funding capacity which will be in the \$15,000,000-\$25,000,000 range
- QSCB's currently being issued with effective interest rate to tax payers of 0%-1.5% resulting in significant tax dollar savings
- QSCB's amortize relatively quickly compared with Series A Measure J bond sales resulting in significant tax dollar savings
- QSCB's issued are a portion of the Measure J max bond authorization amount of \$95,000,000; for instance, if EUSD sells \$20,000,000 in QSCB's, that amount added to the \$25,000,000 already sold in Series A bonds would result in \$45,000,000 of the total \$95,000,000 Measure J bond authorization having been sold

QSCB Financing for ECCL: Impact

Impact of QSCB's on ECCL project

- ECCL project work will need to occur in a rapid, efficient, and well-coordinated manner in order to achieve expenditure levels required
- Currently working with architectural team and builder to implement a project approach that achieves the QSCB goals
- State agency approval processes have agreed to also move quickly so that we meet the QSCB requirements

QSCB Financing for ECCL:

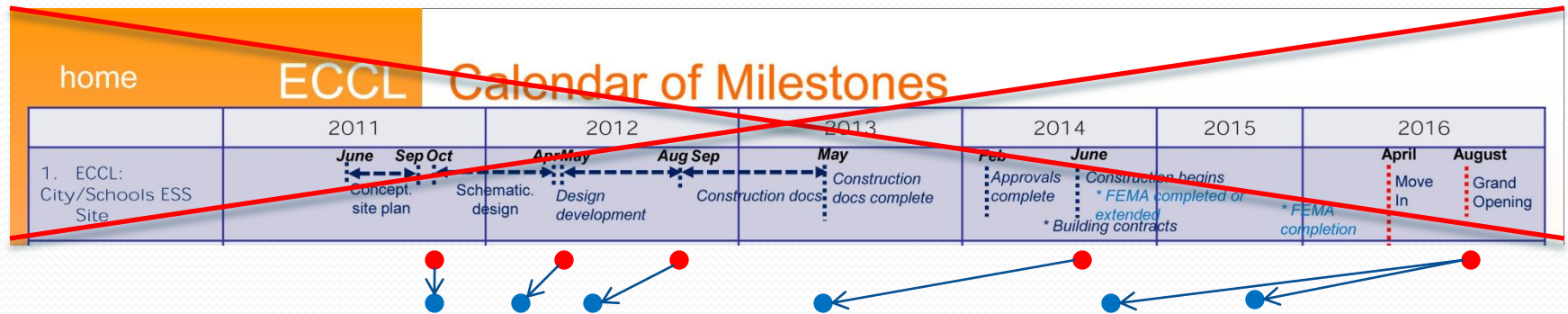
Proposed QSCB Financing Time Line

QSCB process time line:

- Notification of EUSD eligibility for QSCB allocation in mid-August 2011
- Board decision to sell QSCB's at 08.22.11 Board meeting
- Bond sales in September 2011
- Bond sale closing on or about 10.01.11

Modify ECCL Project Schedule

Original ECCL Schedule from “MOU #2, Exhibit D” is superceded:



New ECCL Schedule:

- **10.01.11**: Schematic Design Begins ●
- **02.15.12**: Schematic Design Complete ●
- **16.15.12**: Design Development Complete ●
- **10.01.12**: Turner Construction begins demolition work
- **02.15.13**: Completion of Plans and Specifications
- **04.15.13**: Final Approval of Contract with Turner Construction
- **05.01.13**: Groundbreaking for major New Construction Phase 1 ●
- **06.01.13**: Completion of all Agency Approvals
- **07.15.14**: Completion of New Construction Phase 1
- **09.01.14**: **Date for Grand Opening and Occupancy of Phase 1** ●
- **09.01.15**: **Date for Grand Opening and Occupancy of Phase 2** ●