



**City of Emeryville**  
1333 Park Avenue, Emeryville, CA 94608-3517  
TEL: (510) 596-4300 - FAX: (510) 658-8095  
[www.ci.emeryville.ca.us](http://www.ci.emeryville.ca.us)



**Emery Unified School District**  
4727 San Pablo Avenue, Emeryville, CA 94608  
(510) 601-4000 (510) 601-4913 Fax  
[www.emeryusd.k12.ca.us](http://www.emeryusd.k12.ca.us)

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## **Citizens Oversight Committee (COC)**

March 16, 2011 at 5:30 p.m.

### COC members present:

Lisa Carlisle  
Brian Carver  
Elizabeth Cooley  
Shirley Enomoto  
Mitchell Fine  
Ronald Henry  
Judy Inouye  
Joy Kent  
Marcelline Krafchick  
Dave Martinez  
Barbie Robinson  
Andrea Sanchez-Cortez  
Charlie Schuman  
Rodney Wong

Frank Aalbers

### COC members absent:

Kelly Maddox  
Tom Rauch

### Others present:

John Sugiyama (EUSD Superintendent)  
Miguel Dwin (EUSD School Board President)  
Melinda Chinn (City of Emeryville)  
Roy Miller (EUSD Architect)  
Hayin Kim (EUSD Dir. of Youth & Community Engagement)  
Brynnda Collins (Minutes)

## **AGENDA ITEMS- Major Focus of Meeting: Organization and Orientation**

### **1. Introductions- Members and Staff**

- a. Welcome: John Sugiyama Emery USD Superintendent welcomed everyone to the COC and reviewed statutory requirements:
- b. COC Committee is required by law
- c. Measure J Bond language states that the COC is also responsible to determine how the broader Emeryville community should be engaged
  - i. John reviewed Form 700 (statement of economic interests) to assure no one on the committee has a conflict of interest.
  - ii. Mitch Fine COC member asked for definition of Real Property and Bond Investment
  - iii. Follow-up: John will check with EUSD legal council to determine further definition of Real Property and Bond Investment
- d. Introduce Roy and Hayin; Roy brief remarks
  - i. Overview of meeting focus/objectives: Organization and Orientation
  - ii. Introductions exercise: Hayin Kim initiated small group introductions -- get in small groups of

*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 Emery Unified School District, 510-601-4000.*



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3-4 people and pick a “reporter;” Talk about:

1. Your Name
2. Your Interest in being on the COC committee
3. How long have you lived in Emeryville/attend EUSD?
4. Three things you have in common with other group members
5. Group reporters introduced members to the larger group

## 2. Overview of the Citizens Oversight Committee (COC)

- a. COC By-Laws review (Hayin Kim):
  - i. COC will present to the City and Schools Committee and EUSD School Board on a regular basis
  - ii. Q and A
    1. Brian Carver: What does it mean to be on the COC and its scope?
      - a. John Sugiyama: In addition to fiscal oversight, there will be certain issues in which the COC body comes together to provide input to the project
      - b. Roy Miller: COC will be the channel for community engagement work (broader community). COC will help define what community engagement will look like.
    2. Dave Martinez: Are there any restrictions on communicating with each other?
      - a. Roy Miller: The COC is subject to the regulations of the Brown Act.
      - b. John Sugiyama: Review of the Brown Act will take place at a future meeting.
  - iii. Lottery will be drawn to appoint either 1-year or 2-year terms, unless a particular COC committee member opts for a 1-year term.
  - iv. COC committee will serve as ambassadors to the broader Emeryville community – parents, families, students, residents, seniors, and business.
  - v. Quorum: Seven committee members must be present to proceed with COC meetings
  - vi. All rules will follow Roberts rule of order
  - vii. COC committee will serve until project is over or until Bond Funds are exhausted
- b. Review of Guiding Principles/Policies and relationship to the work (Roy Miller)

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c. Q and A

### 3. Overview of the ECCL scope and work (Roy Miller)

- a. Timeline Review
  - i. Goal: to occupy a new facility for 2016-2017 school year
- b. Budget Review
  - i. John discussed Bond funds
- c. Scope
  - i. Roy mentioned two other strands of the engagement work in addition to the COC/ community
    1. Strand 1- Youth
    2. Strand 2- City and School District Staff
  - ii. Roy reviewed facilities assessment and options
- d. Q and A

### 4. Organizational Matters for the COC

- a. 1 and 2-year terms, draw lots (Hayin Kim); Absent members terms TBD

#### One year term:

- Francisco Aalbers
- Brian Carver
- Shirley Enomoto
- Mitch Fine
- Ronald Henry
- Judy Inouye
- Charlie Schuman

#### Two year term:

- Lisa Carlisle
- Elizabeth Cooley
- Joy Kent
- Marcelline Krafchick
- Dave Martinez
- Barbie Robinson
- Andrea Sanchez-Cortez
- Rodney Wong

b. Meeting times/dates

- i. Motion was made to hold meetings on the 3<sup>rd</sup> Wednesday of each month from 6:00-7:30; after some discussion about childcare needs and accounting for everyone's schedules, motion was accepted unanimously

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- ii. City/Schools meetings are the first Thursday of each month – COC chairs will make brief updates to the City/Schools committee
  - c. Chair/vice-chair
    - i. Shirley Enomoto nominated Brian Carver as the Chair of the COC and Elizabeth Cooley 2<sup>ND</sup> the motion.
    - ii. Ronald Henry nominated Charley Schuman as the Vice Chair of the COC and Dave Martinez 2<sup>nd</sup> the motion.
  - d. COC REMINDERS
    - i. Form 700
    - ii. COC monthly report to City/Schools
    - iii. COC quarterly report to School Board

## 5. General Q&A

- a. Additional questions? Roy requested questions to be e-mailed

## 6. Communications and the “Web”

- a. Binders – tonight we are printing; we will always have some hard copies for visitors at meetings and will continue the practice of distributing materials electronically prior to the meetings (goal as the Friday prior to the COC meeting)
- b. ECCL screenshots, still in development (Hayin Kim)
  - i. Website will be a key tool for the COC
  - ii. The COC web will be a place to communicate and exchange ideas with the broader community – Web 2.0 tools
- c. Charlie Schuman requested a COC contact list; all members present are in agreement

## 7. Adjournment, 7:16 PM

Hello, John.

Congratulations on a successful bond sale.

Here is a brief summary of the bond program to date:

The Emery Unified School District successfully sold its first series of general obligation bonds, garnering a total of approximately \$25 million in proceeds to fund the District's facilities improvement program. The bond sale marks the first series of bonds of a larger capital program under Measure "J" approved by District voters on November 2, 2010. Measure "J" received a strong 74% of voter support, authorizing \$95 million in bonds to be sold over time.

The bond sale was aided by strong credit ratings that reflect the District's pragmatic financial management, and the stable local economy. The District approached the rating agencies with a comprehensive presentation of the District's management, financial and economic credit factors. Standard & Poor's assigned the District an "A+" rating, and Moody's Investors Service assigned a rating of "AA3."

The strong ratings allowed the District to attract investor interest and negotiate attractive rates on the date of sale. In a very challenging market environment, the bonds were sold at an arbitrage yield (weighted average interest rate) of 5.91%.

The District's bonds have been structured to permit the issuance of Qualified School Construction Bonds (QSCB), should the District receive a QSCB award from the California Department of Education (CDE). While the District did not receive an award during the latest QSCB allocation by the CDE, it is waitlisted and may receive an award later this year. The QSCB award, if received, would allow the District to sell a portion of its bonds with a Federal interest rate subsidy, thereby reducing the average interest rate for the portion of the bonds that are issued as QSCBs. We will contact the District to discuss issuance of a QSCB if the award become available.

As well, the bond structure utilized facilitates a more efficient issuance of a future series of bonds should the District not receive a QSCB award.

The total amount of repayment for the bonds sold is approximately 2.3 times the principal issued. As you are aware, we had conservatively estimated a payback of approximately 4 times the principal amount at the time of the election. We are pleased that the actual amount of the payback for these bonds is significantly less than originally estimated for the program.

Regards,

--Lalo

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Managing Director

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**Citizens Oversight Committee (COC)**  
**Measure J and the Emeryville Center of Community Life (ECCL)**  
Meeting Agenda  
April 20, 2011 at 6:00 p.m.  
*Anna Yates Elementary School Conference Room, 1070 41<sup>st</sup> Street*

**AGENDA ITEMS-**

Major Focus of Meeting: COC Scope of Work

1. Introduction/Comments/Questions from prior meeting
2. COC Scope of Work discussion and “Web” look-ahead
3. Bond Sales Update
4. Brown Act Recap
5. Q&A
6. Adjournment

**OBJECTIVES of this meeting:**

1. COC members will become familiar with Committee’s scope of work
2. COC members will learn about recent Measure J bond sales
3. COC members will become familiar with Brown Act requirements

**FURTHER INFORMATION** may be obtained by contacting Hayin Kim or Roy Miller at (510) 601-4750 or (510) 224-7384.

DATED: 04/15/2011  
Post on: 04/15/2011  
Post until: 04/21/2011

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THE  

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BROWN  

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ACT

OPEN MEETINGS FOR  
LOCAL LEGISLATIVE BODIES



**2003**

CALIFORNIA ATTORNEY  
GENERAL'S OFFICE

THE  

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BROWN  

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ACT

OPEN MEETINGS FOR  
LOCAL LEGISLATIVE BODIES

Office of the Attorney General  
Bill Lockyer  
Attorney General

Prepared by the Division of Civil Law

Chief Assistant Attorney General Andrea Lynn Hoch  
Deputy Attorney General Ted Prim, Editor





State of California  
**Office of the Attorney General**

Bill Lockyer  
Attorney General

Throughout California's history, local legislative bodies have played a vital role in bringing participatory democracy to the citizens of the state. Local legislative bodies - such as boards, councils and commissions - are created in recognition of the fact that several minds are better than one, and that through debate and discussion, the best ideas will emerge. The law which guarantees the public's right to attend and participate in meetings of local legislative bodies is the Ralph M. Brown Act.

While local legislative bodies generally are required to hold meetings in open forum, the Brown Act recognizes the need, under limited circumstances, for these bodies to meet in private in order to carry out their responsibilities in the best interests of the public. For example, the law contains a personnel exception based on notions of personal privacy, and a pending litigation exception based upon the precept that government agencies should not be disadvantaged in planning litigation strategy. Although the principle of open meetings initially seems simple, application of the law to real life situations can prove to be quite complex.

The purpose of this pamphlet is to provide a brief description of the Brown Act, along with a discussion of court decisions and opinions of this office that add to our understanding by applying it in specific factual contexts. We hope this pamphlet will assist both public officials and those who monitor the performance of local legislative bodies to minimize and resolve disputes over interpretations of the Brown Act. In recent years, both the California Supreme Court and the courts of appeal have recognized the benefit of pamphlets issued by our office. This recognition by the courts, along with many favorable comments from members of the public, strengthens our resolve to continue producing reliable informational materials on the Brown Act and other California laws. Publication of these materials constitutes a tradition of service that we value greatly.

Ideas and suggestions for future editions of this pamphlet are welcomed and should be addressed to the editor.

Sincerely,

**BILL LOCKYER**  
Attorney General

## Table of Contents

	<u>Page</u>
INTRODUCTION	v
SUMMARY OF KEY BROWN ACT PROVISIONS	vi
I. PURPOSE AND SCOPE	1
II. BODIES SUBJECT TO THE BROWN ACT	2
1. Local Agencies	3
2. Legislative Bodies	4
A. Governing Bodies	5
B. Subsidiary Bodies	5
C. Private or Nonprofit Corporations and Other Entities	6
D. Hospital Lessees	7
III. MEETING DEFINED	8
1. Face to Face Meetings	8
A. Conferences and Retreats	9
B. Other Public Meetings	10
C. Meetings of Other Legislative Bodies	10
D. Social or Ceremonial Occasions	11
2. Serial Meetings	11
3. Individual Contacts Between Members of the Public and Board Members	13
4. Teleconference Meetings	14
5. Writings as Meetings	15

**Table of Contents**  
**(Continued)**

	<b><u>Page</u></b>
IV. NOTICE AND AGENDA REQUIREMENTS	15
1. Regular Meetings	16
A. Agenda Requirement	16
B. Exceptions to Agenda Requirements	18
C. Public Testimony	18
2. Special Meetings	20
3. Emergency Meetings	20
4. Closed Sessions	21
A. Agenda Requirement	21
B. Oral Announcement Prior to Closed Sessions	23
C. Report at the Conclusion of Closed Sessions	24
5. Adjournments and Continuances	25
6. Location of Meetings	26
7. Special Procedures Regarding Taxes and Assessments	27
V. RIGHTS OF THE PUBLIC	27
VI. PERMISSIBLE CLOSED SESSIONS	30
1. Introduction	30
A. Narrow Construction	30
B. Semi-Closed Meetings	31
C. Secret Ballots	31
D. Confidentiality of Closed Session	32

**Table of Contents**  
**(Continued)**

	<b><u>Page</u></b>
2. Authorized Exceptions	33
A. Personnel Exception	33
B. Pending Litigation and the Attorney-Client Privilege	37
(1) Historical Background	37
(2) Pending Litigation Exception	37
C. Real Property Negotiations Exception	41
D. Labor Negotiations Exception	42
E. Public Security Exception	43
F. License Application Exception	43
3. Minute Book	43
VII. PENALTIES AND REMEDIES FOR VIOLATION OF THE ACT	44
1. Criminal Penalties	44
2. Civil Remedies	44
A. Injunctive, Mandatory or Declaratory Relief	44
B. Voidability of Action	45
C. Attorney Fees	47
APPENDIX A	49
TIME DEADLINES	49
APPENDIX B	50
THE RALPH M. BROWN ACT	51

**Table of Contents**  
**(Continued)**

	<b><u>Page</u></b>
TABLE OF AUTHORITIES	84
Cases	85
Statutes	88
Attorney General Opinions	92
Other Authorities	94

## INTRODUCTION

This pamphlet concerns the provisions of the Ralph M. Brown Act, which govern open meetings for local government bodies. The Brown Act is contained in section 54950 et seq. of the Government Code. Accordingly, all statutory references in this pamphlet are to the Government Code unless otherwise noted. The pamphlet contains a table of contents, which may also serve as a topical outline for the reader. The pamphlet also includes a brief summary of the main provisions of the Brown Act, along with references to the appropriate Government Code sections and chapters of the text. The text includes a discussion of the law along with tips on how the law should be applied in particular situations. Numerous references are made to legal authorities throughout the text. A copy of the Brown Act in its entirety is set forth in the appendix to the pamphlet. Lastly, the pamphlet contains a table of authorities so that the reader can determine all of the places in the text where references are made to a particular authority.

In preparing this pamphlet, we relied on a variety of legal resources. Appellate court cases were consulted and are cited throughout the pamphlet. While most of the more significant cases are discussed, this pamphlet is not intended to be a compendium of all court cases in this area. In addition, we drew upon published opinions and unpublished letter opinions issued by this office. Attorney General opinions, unlike appellate court decisions, are advisory only and do not constitute the law of the state. However, with respect to the Brown Act, the courts have frequently adopted the analysis of Attorney General opinions, and have commented favorably on the service afforded by those opinions and this pamphlet. (*Bell v. Vista Unified School Dist.* (2000) 82 Cal.App.4th 672; *Freedom Newspapers v. Orange County Employees Retirement System* (1993) 6 Cal. 4th 821, 829.)

Published opinions are cited by volume and page number (e.g., 32 Ops.Cal.Atty.Gen. 240 (1958)). Unpublished letter opinions are cited as indexed letters by year and page number (e.g., Cal.Atty.Gen., Indexed Letter, No. IL 76-201 (October 20, 1976).) Published opinions are available through law libraries and some attorneys' offices. As a general rule, indexed letters are available only in the Office of the Attorney General. Copies may be obtained by a request to the Public Inquiry Unit of the Office of the Attorney General.

If you have specific questions or problems, the statutes, cases and opinions should be consulted. You also may wish to refer the matter to the attorney for the agency in question, a private attorney or the district attorney.

The pamphlet is current through January 2003 with respect to statutes, case law, and Attorney General opinions.

## SUMMARY OF KEY BROWN ACT PROVISIONS

### COVERAGE

#### PREAMBLE:

Public commissions, boards, councils and other legislative bodies of local government agencies exist to aid in the conduct of the people's business. The people do not yield their sovereignty to the bodies that serve them. The people insist on remaining informed to retain control over the legislative bodies they have created.	54950	Ch. I
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#### GOVERNING BODIES:

Includes city councils, boards of supervisors, and district boards. Also covered are other legislative bodies of local government agencies created by state or federal law.	54952(a)	Ch. I & II
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#### SUBSIDIARY BODIES:

Includes boards or commissions of a local government agency as well as standing committees of a legislative body. A standing committee has continuing subject matter jurisdiction or a meeting schedule set by its parent body. Less-than-a-quorum advisory committees, other than standing committees, are exempt.	54952(b)	Ch. II
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#### PRIVATE OR NONPROFIT CORPORATIONS OR ENTITIES:

Covered only if:

- |   |                |        |
|---|----------------|--------|
| a. A legislative body delegates some of its functions to a private corporation or entity; or  | 54952(c)(1)(A) | Ch. II |
| b. If a legislative body provides some funding to a private corporation or entity and appoints one of its members to serve as a voting member of entity's board of directors. | 54952(c)(1)(B) |        |

## **MEETING DEFINED**

### INCLUDES:

Any gathering of a quorum of a legislative body to discuss or transact business under the body's jurisdiction; serial meetings are prohibited. 54952.2 Ch. III

### EXEMPTS:

- (1) Individual contacts between board members and others which do not constitute serial meetings; 54952.2(c)(1) Ch. III
- (2) Attendance at conferences and other gatherings which are open to public so long as members of legislative bodies do not discuss among themselves business of a specific nature under the body's jurisdiction; 54952.2(c)(2), (3) and (4)
- (3) Attendance at social or ceremonial events where no business of the body is discussed. 54952.2(c)(5)

### LOCATIONS OF MEETINGS:

A body must conduct its meetings within the boundaries of its jurisdiction unless it qualifies for a specific exemption. 54954 Ch. IV

### TELECONFERENCE MEETINGS:

Teleconference meetings may be held under carefully defined conditions. The meeting notice must specifically identify all teleconference locations, and each such location must be fully accessible to members of the public. 54953 Ch. III

## **PUBLIC RIGHTS**

### PUBLIC TESTIMONY:

Public may comment on agenda items before or during consideration by legislative body. Time must be set aside for public to comment on any other matters under the body's jurisdiction. 54954.3 Ch. IV & V



NON-DISCRIMINATORY FACILITIES:

Meetings may not be conducted in a facility that excludes persons on the basis of their race, religion, color, national origin, ancestry, or sex, or that is inaccessible to disabled persons, or where members of the public may not be present without making a payment or purchase. 54953.2; 54961 Ch. V

COPY OF RECORDING:

Public may obtain a copy, at cost, of an existing tape recording made by the legislative body of its public sessions, and to listen to or view the body's original tape on a tape recorder or viewing device provided by the agency. 54953.5 Ch. V

PUBLIC VOTE:

All votes, except for those cast in permissible closed session, must be cast in public. No secret ballots, whether preliminary or final, are permitted. 54953(c) Ch. VI

CLOSED MEETING ACTIONS/DOCUMENTS:

At an open session following a closed session, the body must report on final action taken in closed session under specified circumstances. Where final action is taken with respect to contracts, settlement agreements and other specified records, the public may receive copies of such records upon request. 54957.1 Ch. IV, V & VI

TAPING OR BROADCASTING:

Meetings may be broadcast, audio-recorded or video-recorded so long as the activity does not constitute a disruption of the proceeding. 54953.5; 54953.6 Ch. V

CONDITIONS TO ATTENDANCE:

Public may not be asked to register or identify themselves or to pay fees in order to attend public meetings. 54953.3; 54961 Ch. V

PUBLIC RECORDS:

Materials provided to a majority of a body which are not exempt from disclosure under the Public Records Act must be provided, upon request, to members of the public without delay. 54957.5 Ch. V

## **REQUIRED NOTICES AND AGENDAS**

### **REGULAR MEETINGS:**

Agenda containing brief general description (approximately twenty words in length) of each matter to be considered or discussed must be posted at least 72 hours prior to meeting. 54954.2 Ch. IV

### **SPECIAL MEETINGS:**

Twenty-four hour notice must be provided to members of legislative body and media outlets including brief general description of matters to be considered or discussed. 54956 Ch. IV

### **EMERGENCY MEETINGS:**

One hour notice in case of work stoppage or crippling activity, except in the case of a dire emergency. 54956.5 Ch. IV

### **CLOSED SESSION AGENDAS:**

All items to be considered in closed session must be described in the notice or agenda for the meeting. A model format for closed-session agendas appears in section 54954.5. Prior to each closed session, the body must orally announce the subject matter of the closed session. If final action is taken in closed session, the body generally must report the action at the conclusion of the closed session. 54954.2; 54954.5; 54957.1 and 54957.7 Ch. IV

### **AGENDA EXCEPTION:**

Special procedures permit a body to proceed without an agenda in the case of emergency circumstances, or where a need for immediate action came to the attention of the body after posting of the agenda. 54954.2(b) Ch. IV

## **CLOSED-SESSION MEETINGS**

### **PERSONNEL EXEMPTION:**

The body may conduct a closed session to consider appointment, employment, evaluation of performance, discipline or dismissal of an employee. With respect to complaints or charges against an employee brought by another person or another employee, the employee must be notified, at least 24 hours in advance, of his or her right to have the hearing conducted in public. 54957 Ch. VI

### **PUBLIC SECURITY:**

A body may meet with law enforcement or security personnel concerning the security of public buildings and services. 54957 Ch. VI

### **PENDING LITIGATION:**

A body may meet in closed session to receive advice from its legal counsel concerning existing litigation, initiating litigation, or situations involving a significant exposure to litigation. The circumstances which constitute significant exposure to litigation are expressly defined in section 54956.9(b)(3). 54956.9 Ch. VI

### **LABOR NEGOTIATIONS:**

A body may meet in closed session with its negotiator to consider labor negotiations with represented and unrepresented employees. Issues related to budgets and available funds may be considered in closed session, although final decisions concerning salaries of unrepresented employees must be made in public. 54957.6 Ch. VI

### **REAL PROPERTY NEGOTIATIONS:**

A body may meet in closed session with its negotiator to consider price and terms of payment in connection with the purchase, sale, exchange or lease of real property. 54956.8 Ch. VI

**REMEDIES AND SANCTIONS**

**CIVIL REMEDIES:**

Individuals or the district attorney may file civil lawsuits for 54960; Ch. VII  
injunctive, mandatory or declaratory relief, or to void action 54960.1  
taken in violation of the Act.




Attorneys' fees are available to prevailing plaintiffs. 54960.5

**CRIMINAL SANCTIONS:**

The district attorney may seek misdemeanor penalties against 54959 Ch. VII  
a member of a body who attends a meeting where action is  
taken in violation of the Act, and where the member intended  
to deprive the public of information which the member knew  
or has reason to know the public was entitled to receive.

**Return to Main Body**

**Citizens' Oversight Committee Meeting**  
*Anna Yates Elementary School, Conference Room (Mod. 12)*  
*1070 41st Street, Emeryville*

- PLEASE USE ENTRANCE GATE at 43<sup>rd</sup> and Salem, see map 
- The conference room is on the 2<sup>nd</sup> floor of the modular building, see map 
- Elevator access is available, see map 



Questions? Call Hayin Kim, 510-224-7384



City of Emeryville  
Emery Unified School District



CITIZENS OVERSIGHT COMMITTEE (COC)  
MEMBERS CONTACTS LIST (MARCH 2011)

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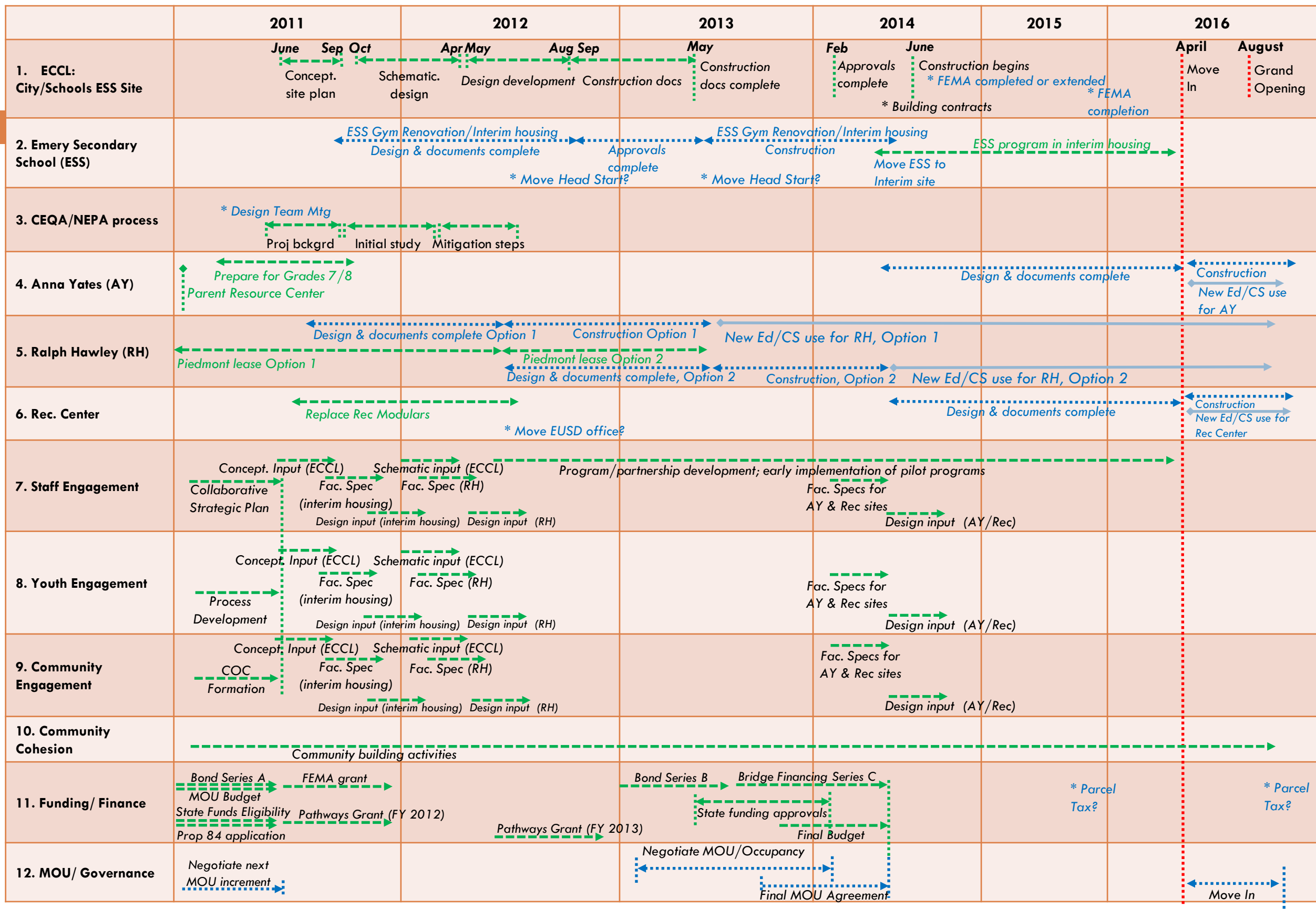
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# Exhibit D: Schedule



**Exhibit C**  
**MOU #2, Scope of Work**

Emeryville Center of Community Life (ECCL)

**ECCL Activity Strands**

**A. Facilities Development**

1. Facilities Development: Emery Secondary School Site Activities
  - A) ECCL New Facilities
  - B) Existing Gym Renovation
  - C) Interim Housing for Grades 9-12
  - D) Wellness Programs Relocations
  - E) Marina School Programs Relocations
  - F) Environmental Analysis and Mitigation Measures
  - G) Facilities Improvements Preceding ECCL
  - H) F&E
  
2. Facilities Development: Anna Yates Elementary School Site Activities
  - A) Parent Resource Center
  - B) Improvements to Add Grades 7 and 8
  - C) F&E
  - D) New Education/Community Services Use after Grades k-8 Move to ECCL
  
3. Facilities Development: Ralph Hawley Elementary School Site Activities
  - A) Piedmont Lease
  - B) Pre-natal to Pre-k Uses after Piedmont Lease
  - C) New Education/Community Services Use after Piedmont Lease
  
4. Facilities Development: City of Emeryville Recreation Center Site Activities
  - A) Replacement of Existing Modular Structures
  - B) Emery Unified School District Offices Relocation
  - C) Relocation of Facilities on this Site to ECCL
  - D) New Use after Opening of ECCL

**B. Relationship Development**

1. Relationship Development: Engagement Activities
  - A) Staff
  - B) Youth
  - C) Community
  
2. Relationship Development: Program Development Activities
  - A) Collaborative Strategic Planning
  - B) Research and Analysis
  - C) Assessment and Evaluation



**Exhibit C**  
**MOU #2, Scope of Work**

Emeryville Center of Community Life (ECCL)

**C. Project Supports**

1. Project Support Activities
  - A) Communications and Chronicling
  - B) Financing and Funding
  - C) MOU and Governance
  - D) Community Cohesion
  - E) Policy Research and Development
  - F) Project Management and Administration
  - G) Development of Assessment and Evaluation Protocols for ECCL work

Clarifications to the Activity Strands noted above

Section A: Facilities Development

A.1.A. Main ECCL Project Phases:

- 1) Conceptual Design
- 2) Schematic Design
- 3) Design Development
- 4) Construction Documents
- 5) Agency Approvals

A.1.B. ESS Gym Renovation:

- 1) Conceptual Design
- 2) Schematic Design
- 3) Design Development
- 4) Construction Documents
- 5) Agency Approvals
- 6) Construction Contract Negotiation
- 7) Construction Administration
- 8) Move-in and start of Project Closeout

A.1.C. ESS Interim Housing for Grades 9-12:

- 1) Conceptual Design
- 2) Schematic Design
- 3) Construction Documents
- 4) Agency Approvals
- 5) Construction Contract Negotiation
- 6) Construction Administration
- 7) Move-in and start of Project Closeout

A.1.F. Coordination of Environmental Analysis as required for facilities projects listed above and administration of work associated with any mitigation measures required by the Environmental Analyses

**Exhibit C**  
**MOU #2, Scope of Work**

Emeryville Center of Community Life (ECCL)

A.1.G. Facilities Improvement Projects preceding ECCL (development and management)

Design, Document, Construct, and Move-in

A.1.H. and A.2.C. Selection, acquisition, and installation of Furnishings and Equipment (F&E) as required for facilities projects listed above

A.2.A. Interim Housing provisions for the Family Resource Center and Wellness Center

Design, Document, Construct, and Move-in

A.2.B. Alterations to Anna Yates to accommodate Grades 7 and 8:

Design, Document, Construct, and Move-in

A.4.B. EUSD Office Relocation (possibly to the Rec. Center):

Design, Document, Construct, and Move-in

**Section B: Relationship Development**

B.1. Development, Coordination, and Administration of ECCL Project Engagement activities including:

1) Staff:

Collaborative Strategic Planning

Staff Fellows Program

Program Development (Personalized Pathways, Project-based learning, collaborative programming, leadership development, etc.)

Staff Cohesion Program

Events

2) Youth:

ECCL Youth Council

Youth Fellows Program

Internships and Mentorships

Events

3) Community:

City/Schools Committee (EUSD School Board + Emeryville City Council)

Citizens Oversight Committee (COC)

Community Fellows Program

Community Cohesion Program

Events

**Section C: Project Supports**

C.1.A. Development and coordination of Communications and Chronicling activities associated with the ECCL Project

**Exhibit C**  
**MOU #2, Scope of Work**

Emeryville Center of Community Life (ECCL)

C.1.B. Funding, financing, and budget development and management for the ECCL Project

C.1.C. Development and coordination of MOU's, Contracts, and Governance activities associated with the ECCL Project

C.1.E. Research and Development for the ECCL Project (policy development partnerships with Goldman School, Center for Cities and Schools, etc.)

C.1.F. Agency (DSA, CDE, OPSC, DTSC, City of Emeryville Planning) review coordination for the ECCL Project plus

Selection and management of construction testing and inspection persons and activities for the ECCL Project plus

Consultant coordination activities for the ECCL Project (legal, funding advocacy, bond sales, geotechnical, site surveys, state agency advocacy, demographics, etc.) plus

Project Management and Administration of all ECCL Project activities

C.1.G. Assessment and evaluation of relevant ECCL project activities

## Key Milestones and Dates for Center of Community Life Planning for discussion at COC Meeting 03/16/11

Date	Event	Proposed COC Meeting Topics
8/1/2016	Occupy new facility for the 2016-2017 school year	
4/1/2016	Begin the move-in activities in the new facility	
6/1/2014	Begin construction of the new facility	
3/1/2014	All approvals and permits complete for construction of the new facility	
5/1/2013	All construction documents complete to submit for approvals	
5/1/2012	Schematic Design complete for the new facility	
9/1/2011	Begin Schematic Design phase work	
Summer 2011	Conceptual design revisions + align all engagement efforts (staff, community, youth)	
July 2011	Complete design readiness activities	Conceptual Design Review
June 2011	COC meeting	Design Process Readiness
May 2011	COC (Citizens Oversight Committee) defines community engagement process	Defining community engagement: who, how, when, where, why?
April 2011	COC meeting	Review of scope of work; introduction to community partnerships
3/16/2011	COC (Citizens Oversight Committee) organizes	Organizational meeting

**From:** Lisa Taymuree  
**Sent:** Thursday, April 07, 2011 11:42 AM  
**To:** John Sugiyama; Roy Miller; Hayin Kim  
**Subject:** Form 700

I spoke with Barbara at the toll-free advice line for the Fair Political Practices Commission (FFPC) who stated the following:

- The advice line is staffed by consultants who have worked years in the FFPC. Callers are placed in a queue and may not request specific individuals.
- The advice given over this line is not legally binding
- If email is more convenient than calling, the same people staffing the advice telephone line also field questions via email at [advice@ffpc.ca.gov](mailto:advice@ffpc.ca.gov). Again, this advice is not legally binding.
- Questions can also be faxed to (916) 327-2026, attention: General Counsel. Responses from the General Counsel are legally binding

FPPC Toll-Free Number  
[1-866-ASK-FPPC](tel:1-866-ASK-FPPC) (1-866-275-3772)  
Open Monday-Thursday,  
9:00am - 11:30am & 1:30pm - 3:30pm

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**The FFPC provides three methods for obtaining advice regarding the Political Reform Act's (PRA) rules and requirements. Advice is provided to those persons regulated by the PRA and to the general public. Procedures for informal and formal advice differ as described below.**

### **Assistance by Telephone** ([Informal Advice](#))

Toll-Free: **1-866-ASK-FPPC (1-866-275-3772)** or **1-916-322-5660**

Telephone advice is available Monday through Thursday. Call 1.866.275.3772 or 1.916.322.5660 and press 2 to speak to a political reform consultant in the Technical Assistance Division.

### **Assistance by E-Mail** ([Informal Advice](#))

Email communications are public documents and may be provided to others under the California Public Records Act.

Email advice is best suited for straightforward questions such as...When does a local ballot measure committee file its Form 410?; After assuming my new position as mayor how many days do I have to file the Form 700?

Email advice is not the forum for complex conflict-of-interest questions, questions that include incomplete or complicated facts, or questions that require substantial legal analysis.

#### All Email:

- Identify yourself and position

- List the agency that is related to your question
- Write your question with as much specificity as possible

[Click here to see sample email.](#)

Send your Email Question Here: [advice@fppc.ca.gov](mailto:advice@fppc.ca.gov)

### **Assistance by Mail** ([Formal Advice](#))

**Fair Political Practices Commission**  
428 J Street, Suite 620  
Sacramento, CA 95814

FAX: 1-916-322-0886

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## **Informal Assistance**

### **Telephone and Email Advice:**

This advice is considered informal assistance and conservative responses are provided. In most instances, email advice will link you to the appropriate reference material posted on the FPPC website.

Both Telephone and Email Advice provide guidance based on facts provided through the inquiry. Advice does not provide immunity under Government Code Section 83114 and does not constitute legal advice or alter any legal right or liability. Political Reform Consultants will respond to your request for guidance but the response is not a rule, regulation or statement binding or a final decision of the FPPC. Advice is only applicable to the specific person submitting the question and to the specific question asked.

### **Notes:**

- Answers to questions on past conduct or hypothetical situations are not provided.
- Advice regarding a person's duty is only provided to that person or their authorized representative.
- The FPPC does not provide guidance on laws other than the Political Reform Act (e.g. the Elections Code, the Brown Act, Federal or local laws.).
- The FPPC does not confirm in writing telephone advice.
- To report a violation of the Act, contact the Enforcement Division, [click here](#).
- All calls and emails from reporters will be routed to the FPPC's press staff.

### **Helpful Hints:**

- Campaign Questions: Different committees have different filing deadlines and reporting obligations. Identify if the committee is city, county or state and the type of committee, candidate, ballot measure etc.. A committee ID number is helpful.
- Form 700 Disclosure: Identify your position and agency and disclosure category, if any. The Disclosure category is in the agency's conflict-of-interest code, see your supervisor for assistance. The FPPC has information for state agencies and certain multi-county agencies but does not have the disclosure categories for most local officials.

### **Questions Must Include:**

- If a public official or representative thereof: the official's name, title and agency and, if a representative, your name and the capacity in which you represent the official (e.g., "city attorney"; "county counsel")
  - If a candidate or committee, or representative thereof: the candidate's or committee's name, and, if a representative, your name and the capacity in which you represent the candidate or committee (e.g., "attorney for the candidate/committee"; "committee officer"; "committee campaign consultant")
  - If any other individual or organization with obligations under the Political Reform Act, or representative thereof: the individual's or organization's name, the capacity in which they are regulated under the Act (e.g., "lobbyist"; "major donor"; "campaign contributor") and, if a representative, your name and the capacity in which you represent the individual or organization (e.g., "attorney for the organization"; "employee of lobbyist employer")
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## **Formal Assistance**

### **Written Advice**

Under Government Code Section 83114(b) and Commission regulations, any individual or entity (or their authorized representative) may request formal written advice from the Commission staff concerning their duties under the Political Reform Act. The request must be in writing, provide specified information about the requestor, and contain sufficient information on which the Commission staff can do a complete legal analysis. If the request meets these criteria, the Commission must provide the formal written advice within 21 working days.

Formal written advice provides the requestor with immunity from prosecution by the Commission, and provides evidence of good faith conduct in any relevant civil or criminal proceeding brought by another person, so long as the facts presented by the requestor are accurate and the requestor acts within the confines of the formal advice provided. Formal written advice does not provide immunity to persons other than the requestor, although it may be used as guidance for questions based on similar facts.

The Commission may provide an informal written reply with general guidance in response to written requests for advice that do not meet the criteria for formal written advice. Since formal and informal written advice is provided by Commission staff, neither constitutes a formal

opinion by the Commission under Government Code Section 83114(a) or a statement of Commission policy. More details about the written advice process can be found in Section 18329 of Title 2 of the California Code of Regulations.

### **Commission Opinions**

Under Government Code Section 83114(a) and Commission regulations, any individual or entity (or their authorized representative) may request a formal opinion from the Commission concerning their duties under the Political Reform Act. The Commission's Executive Director must accept or reject a request for a formal opinion within 14 days. A request will normally be rejected if the question can be answered under existing statutes or regulations or does not otherwise present a significant policy issue.

In addition, since the process requires formal action by the Commission, if the request is accepted, it normally takes several months after the question is submitted before a formal opinion may issue from the Commission. A formal opinion issued by the Commission provides the requestor with immunity from civil or criminal prosecution under the Political Reform Act so long as the facts presented by the requestor are accurate and the requestor acts within the confines of the opinion. More details about the formal opinion process can be found in Sections 18320 through 18326 of Title 2 of the California Code of Regulations.

(Revised 3-2011)