



**Special Meeting of the Citizens Oversight Committee**  
**June 29, 2011 – 6:00 p.m. – Emeryville Senior Center**  
**4321 Salem Street, 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  
Shirley Enomoto, Member  
Mitchell Fine, Member  
Ron Henry, Member  
Rodney Wong, 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

Staff

Dr. John Sugiyama, 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. REPORTS** (approximately 6:10 p.m.)

1. **Superintendent's Report**
2. **COC Chairperson's Report**

**D. VISITORS** (approximately 6:15 p.m.)

*Citizens Oversight Committee Procedures*

*Community members are encouraged to attend Citizens Oversight Committee meetings. Each agenda contains a "Visitors" section, to allow the public comment on items NOT listed on the agenda. However, by law, COC members may not enter into discussion nor take action on any item not previously published on the agenda. Speakers must complete a "Record of Participation" form and submit the form to the Superintendent prior to the start of the meeting. When recognized by the COC Chair, speakers shall come to the podium and state their name and address before addressing the COC. Speakers are asked to limit their comments to three (3) minutes. Speakers are also asked to refrain from using names of individuals if their comments are critical in nature.*

*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](http://www.emeryvillecenter.org). Cal. Gov. Code. 54957.5(a)-(d).*

**E. APPROVAL OF MINUTES** (approximately 6:20 pm) **Action**

1. The COC will consider the approval of minutes for the Regular Meetings of May 18, 2011 and June 15, 2011 and the Special Meeting of June 14, 2011.

**F. ACTION/DISCUSSION ITEMS PUBLIC COMMENT INVITED** (approximately 6:25 p.m.)

1. **Presentation by Oakland Unified School District on Full Service Community Schools** (approximately 6:25 p.m.) **Action**

The COC will consider inviting staff from Oakland USD to present information on Full Service Community Schools.

Staff Recommendation: COC direction as appropriate

2. **Process for Electing Chair and Vice Chair for the COC** (approximately 6:35 p.m.) **Discussion**

The COC will review and discuss the processes to be used for the election of the COC Chairperson and Co-chairperson.

Staff Recommendation: COC direction as appropriate

3. **Audio and Video Taping of COC Meetings** (approximately 6:45 p.m.) **Discussion/Action**

The COC will discuss and determine appropriate notifications to the public of their right to audio or video tape COC meeting proceedings.

Staff Recommendation: COC direction as appropriate

- 4. COC Subcommittees** (approximately 6:55 p.m.) **Action**
- The COC will discuss the concept of forming subcommittees of the COC to address various aspects of the COC's responsibilities.
- Staff Recommendation: COC direction as appropriate
- 5. ECCL Fellows Program** (approximately 7:10 p.m.) **Action**
- The COC will review and discuss a proposed statement on the ECCL Fellows Program.
- Staff Recommendation: COC direction as appropriate
- 6. COC Role as a Steering Committee** (approximately 7:25 p.m.) **Action**
- The COC will review and discuss a proposed statement on the role of the COC as a Steering Committee.
- Staff Recommendation: COC direction as appropriate
- 7. COC Chairperson's Report to the City/Schools Committee** (approximately 7:40 p.m.) **Discussion**
- The COC will discuss the monthly report to be delivered to the City/Schools Committee on July 7, 2011
- Staff Recommendation: COC direction to the Chair as appropriate
- 8. COC Meeting Procedures** (approximately 7:45 p.m.) **Action**
- The COC will discuss and determine specific procedures for the conduct of COC Meetings.
- Staff Recommendation: COC direction as appropriate
- G. Staff Comments** (approximately 7:55 p.m.)
- H. COC Committee Member Comments** (approximately 8:00 p.m.)
- I. Calendar Review** (approximately 8:05 p.m.)
- J. Adjournment** (approximately 8:10 p.m.)

*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 Board meetings, may request assistance by contacting the Office of the Superintendent at (510) 601-4906.*

**Next Regular Meeting of the COC will be July 20, 2011  
Emery Bay Village Community Room  
56 Emery Bay Drive**



## 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)

---

### Citizens Oversight Committee (COC)

#### Measure J and the Emeryville Center of Community Life (ECCL)

##### Meeting Minutes

May 18, 2011 at 6:00 p.m., Anna Yates Conference Room

#### COC members present:

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

Judy Inouye

#### COC members absent:

Kelly Maddox

#### Others present:

Josh Simon (EUSD School Board Member)  
Roy Miller (EUSD Architect)  
Hayin Kim (EUSD Dir. of Youth & Community Engagement)  
John Sugiyama (EUSD Superintendent)  
Debra Lindo (Appointed EUSD Superintendent)  
Matt Johnson (Community Member)  
Margit Birge (Community Member)

### 1. Introduction/Public comments on items not on the agenda/Questions from prior meeting

- a. Introduction of Debbra Lindo
- b. EUSD End of year events (Josh Simon)
  - i. AY Open House, May 19<sup>th</sup> at 5:30 PM
  - ii. 6/1 ESS Open House (with the AY Band performing)
  - iii. 6/3-6/4; AY production of the Lion King (Senior Center or location TBA)
  - iv. 6/13, ESS graduation
- c. Form 700 update (Brian Carver)
  - i. Called 800 number and it was only moderately helpful; was told that the school district should have the answers; suggested a conservative approach to property disclosures;
  - ii. BC suggests that either the district or district counsel should tell the COC what category of disclosure that should be followed

### 2. Approval of Minutes for April 20, 2011 Meeting

- a. Typo, change "activity stand" to "activity strand" (Marcelline Krafchick)
- b. In future minutes, highlight actions taken (Marcelline Krafchick)



## 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)

- 
- c. Approved with changes; no objections

### 3. Information Items

- a. Review of past community engagement efforts, 2000-2009 (Miller/Kim)
- i. BC: included in packets is information from past meetings in 2009 so the COC is on the same page; might be indicative of some current questions; a place to start providing answers
  - ii. Difficult to talk about 10 years of community engagement; genesis of the ECCL began as community work as the school district was coming back together under state administration
  - iii. Community development of the Youth Master plan (community survey and report, 2002) led to further ideas (supported by City Council and state administrator) to continue the development of the work; putting ideas into action
  - iv. Expanding beyond just Youth Services, to all of Emeryville → ECCL ideas; a place for all of Emeryville (Community Services, activities, education)
    1. Drawing from community surveys
    2. Understanding “community life” in Emeryville
    3. Exploring related facilities implications
    4. 3-4 year process of developing these initial sets of ideas
  - v. 2005-6: first set of ideas included the AC Transit site (and AC Transit relocation)
  - vi. 2009 – Field Paoli conceptual plan (see handouts)
  - vii. 2010 – conceptual plan refinement with input from Nexus Partners; consolidating space? Phasing?
    1. Refined concept directed by the goal of creating a highly utilized set of facilities and programs;
    2. The basis for Measure J
- b. See [www.emeryvillecenter.org](http://www.emeryvillecenter.org) for more archival documents about the ECCL history
- i. BC: from the 2009 minutes, might get some ideas about places to engage the community
  - ii. Mitch Fine: is there a way to be listed on the master calendar? See [www.emeryvillecenter.org](http://www.emeryvillecenter.org)
- c. Public Comment
- i. Charlie Schuman: from the meeting minutes, and the February 2011 EUSD meeting in the library, I hear a community thread of safety, and k-12 co-location; some of these issues are still current
  - ii. Roy Miller: CA new legislation to make this project even possible, AB 1080 ([http://www.leginfo.ca.gov/cgi-bin/postquery?bill\\_number=ab\\_1080&sess=PREV&house=B](http://www.leginfo.ca.gov/cgi-bin/postquery?bill_number=ab_1080&sess=PREV&house=B)), to allow for different public entities to come together and do projects together; requires a



## 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)

- 
- safety plan to be produced and approved by Department of Education
- iii. Barbie Robinson: I know of a school in Marin that is k-8; are there similar designs, places? For visiting? To help with design and community understanding?
    1. Roy Miller: Staff is already thinking about how we present a “primer” about some of the foundational ideas, e.g. community schools; and to provide examples of where some of these ideas have been done before
    2. Hayin Kim added information about various community schools efforts and scenarios in practice across the US.
  - iv. Barbie Robinson: would be helpful for the COC to understand the district’s activities and the safety plan; having an on-going dialogue with the district on these topics
  - v. Tom Rausch: I’d also like to know about those k-12 schools that haven’t been successful; including parent perspectives as part of the conversation
  - vi. Barbie Robinson: The visuals will also help to communicate the idea;
    1. Roy Miller: That visual is a Field Paoli CONCEPT, as a 1<sup>st</sup> shot to take the ideas that were talked about from concept to design. They have not been approved as the “Project Design” by anyone and were not vetted as such by the community – that is the work that will have to happen once the conceptual plan is revised and brought up to date
  - vii. Rodney Wong: requesting information on what has been done within the district; accreditation information of schools in Emeryville?
    1. Hayin Kim/Brian Carver: glad to share information with individuals, but much of that is beyond the scope of the COC
  - viii. Betsy Cooley: Are we meeting the architectural team before community engagement, since they are doing work?
    1. Roy Miller: the architectural team has NOT been doing any design work; mostly working with 1) staff on understanding program considerations; 2) how young people are involved in the conversation?
  - ix. Rodney Wong: When will program information be presented?
    1. Roy Miller: the COC sets their own agendas, but we have suggested ideas as to timing of various benchmarks
    2. Brian Carver: when we talk about the community engagement process, we will talk about this too; need to strike a balance between listening to community, as well as presenting ideas that we want the community to consider; COC should talk about how we strike that balance; a conversation for next meeting?
  - x. Lisa Carlisle: Consider the way we define “community,” especially in consideration of the



## 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)

---

school district, Allen Bill transfers, and other inter-district transfers; we need to think about how we engage community including people who DO NOT live in Emeryville; those youth also attend the schools here

### 4. Action Items

- a. Request for clarification regarding payment of administrator salaries (Enomoto)
  - i. Brian Carver: not an expert on school bond law, but the AG's opinion makes a distinction between district administrators engaged in activities of the school versus the activities of a bond project
  - ii. Marcelline Krafchick: it's a clear document for our use; if not for Measure J, staff would be doing something else; if we give staff more work, it costs more
  - iii. Roy Miller: Also, Measure J funds are prohibited from being spent on the COC; staff has to be careful about spending time with the COC
  - iv. Rodney Wong: Measure J for project management team, is for design, construction, post-instruction and includes the city and others?
  - v. Roy Miller: 2 years ago, we did an RFP/RFQ process for the architectural team, builders, environmental consultants; Board and Council have approved; those teams are ready to go; there are preliminary contracts with architectural team, though no contracts with builder or environmental consultants yet
  - vi. John Sugiyama: the intent of Prop 39 is to not supplant district funds for administrators solely bc you have the money; to the extent that staff is integral to the project work, able to use the money
  - vii. Frank Aalbers: do you track the hours charged/worked for staff?
  - viii. John Sugiyama: it's not quite that rigid; some federal funding streams require hourly records;
  - ix. Barbie Robinson: what's the allocation method for salary?
    - x. John Sugiyama: the only staff funded by Measure J are Roy and Hayin
    - xi. Brian Carver: and the future Administrative project assistant; I sympathize with Shirley's concerns and it would be prudent for the state to change the language to clarify;
    - xii. John Sugiyama: issue of personnel costs, depending on the full time equivalency; what is recommended to the board regarding the need for project staff
    - xiii. Barbie Robinson: will we be notified ahead of time if there is a need?
    - xiv. Mitch Fine: we need a methodology for review put in place, e.g. 100% allocation? 30-40% allocation? The goal of the COC is not to micro-manage staff process but to properly review
    - xv. Brian Carver: it would be a problem if the APA were supervising study hall; need to know that funds are legitimately used
    - xvi. Mitch Fine: The opinion is very clear, especially on p. 6: "routine" vs. "only project costs" with



## 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)

- 
- a lot of specificity; school district should adhere to a methodology
- b. Oversight Committee proposal for Measure J expenditure reports (Carver)
- i. Brian Carver: I reported at the last City/Schools meeting and stated I was very impressed by the COC and their level of commitment
  - ii. Also told them about if we are having to dig around to find “Measure J” expenditures, it’s hard to oversee we are relying on incomplete staff reports and board agendas; we as a committee want to propose a better process; I gave C/S a preview of the proposal to speed up the conversation and said I would take this proposal also to the COC; we are constrained by the Brown Act so timing can be an issue
  - iii. Marcelline Krafchick: I take issue with what you said;
    1. Did COC authorize you to speak on their behalf? I felt uncomfortable because I felt I was being represented;
    2. Substantively and procedurally, the COC’s role is to “re-view:” to look over something that has already happened;
    3. Temper that with my own view; you are asking a lot of staff and City/Schools (C/S)? Shirley asked for monthly rather than quarterly; I would like to hear the benefit, or the cost/benefit, of making those requests
  - iv. Brian Carver – I included CA Ed code in your packet; this part of state law that gives some guidance on what an independent COC is supposed to do: “actively review and report;” “advise public” if the district is in compliance
    1. “actively review”: BC’s proposal to find out about problems while they can be remedied, in as timely a manner as possible;
    2. As general practice, we can get timely reports so when something’s approved we can go ahead
    3. “ensure bond revenues...”: how to “ensure” without careful review? The proposal is to come to consensus on how COC wants to work with C/S; how we can do OUR job
  - v. Mitch Fine: this is about the procedural process of the COC
    1. If we’re reporting to the Board or C/S, we need to explicitly empower you to do that, but I felt that your proposal at the last C/S was jumping the gun
    2. The Board has never dealt with the COC before; so if you wanted to do that, you should do so as an individual
    3. The committee’s decision to empower you needs to be established; we should talk about what your authority is or is not; maybe spend time at our meetings to decide what the C/S report should be
  - vi. Frank Aalbers: is this part of the by-laws? The general responsibility of the COC to report out?





## 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)

- 
- vii. Marcelline Krafchick: When is it “too late?” e.g. misspent funds? What’s the alternative to “pre-empting?”
1. Brian Carver: I’m hopeful that will never happen
  2. Charlie Schuman: we’re obligated to report on compliance
  3. Brian Carver: This might be different for certain situations
- viii. Lisa Carlisle: re: expenditures; the COC is looking to approve expenditures for Measure J; we may not like what those expenditures are, but if they fall in line with the guidelines, then they are approved; this has to be in line with the plan and Measure J language
1. Brian Carver: this could be hard because the language is ambiguous
  2. Barbie Robinson: we should refrain from a judgment call on expenditures
- ix. John Sugiyama – staff is as committed to this process because staff is held accountable to C/S; when we have a question about meeting Measure J intent, we call bond counsel who helped draft the language for Measure J [Bill Cadi at Jones Hall]
1. For School Board, although there are board meetings every 2 weeks, standard procedure is monthly review of warrants register (payments made) made against budget items
- x. Barbie Robinson: does this (BC’s) proposal mirror the COC charge? Is this stuff that is beyond our charge? I propose that we strike language about “problematic expenditures”; as far as digging through reports, my assumption is that there is a Measure J report that comes to COC; I’m in “compliance”; I think we flag things that aren’t doable
1. #6 – need a reasoned **process** for the COC
- MINUTES NOTES: look to proposal – last page of minutes – for suggested changes**
2. Why is #6 in that? What is the COC standard operating procedure? What is the scope of the COC’s authority?
- xi. Lisa Carlisle: I want to be diligent, but I don’t want us to overstep our scope and require a greater burden for reporting; Brian, you’re brave to bring this to us; I want to make sure that while we are creating our process, we don’t want to slow the project down.
- xii. Mitch Fine: this should be a dialogue with the school board
- xiii. Marcelline Krafchick: the important word is “review”
- xiv. Mitch Fine: We are an advisory body; and to the extent that we are antagonistic to the process of the school board, I’m not comfortable with that; we don’t want to subject them to COC approval before spending \$\$
- xv. Brian Carver: then a limit of \$15K? the project manager can spend that much without going to the school board
- xvi. Marcelline Krafchick: Can we cut 6 and 7? Is it necessary?



## 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)

- 
- xvii. Barbie Robinson: Is this our scope? “approving?”
- xviii. Charlie Schuman: the COC needs to gain **understanding**, so maybe not proactively, but being involved to be more effective;
1. re: a project manager, in a construction project there is a change-order process (budgets, timelines, etc.) and things will change; what’s the orderly process
  2. there’s a \$\$ figure for project manager to make changes; there are people standing by then and the clock is pressing;
  3. Is this part of the project? We’re not controlling the \$\$ but our job is to make sure the \$\$ is being controlled
- xix. Brian Carver: #7 is intended to be an agreed process for talking to one another; not “telling” but a suggesting; “look at it, and does it raise questions?”
- xx. Barbie Robinson: We are over-reading our scope of responsibilities; our role is to review in a TIMELY manner
- xxi. Brian Carver: it gives the whole thing no teeth; this proposed commitment would make things work; we would know more
- xxii. Barbie Robinson: there are 2 contexts; there is” recourse” and there is tempering and balancing expectations within our relationships with C/S; we can temper
- xxiii. Vote to strike 6 and 7
- xxiv. Brian Carver: with those changes, is this a proposal that we can take to C/S?
1. Brian motion, Barbie 2<sup>nd</sup>:
  2. Passed for Items 1-5 and an introductory sentence
  3. Majority passed
- xxv. Mitch Fine: add more in the pre-able to have communication and dialogue; we do not want to be antagonistic
1. This needs to be reflected in the language that this is a first shot in an effort to ensure effective communication and to work in partnership around the oversight of Measure J funds
- xxvi. Lisa Carlisle: an introduction to opening lines of communication;
- xxvii. Barbie Robinson: can we work offline to send this to the committee?
- xxviii. Brian Carver: if we’re going to adopt something, I prefer we do it in public; we can authorize Charlie to write the introductory sentence and COC can send feedback on the process?
- xxix. Marcelline Krafchick: is there a deadline for this?
- xxx. Brian Carver: we need to have the community engagement conversation; next time?  
Brian Carver’s report to C/S in June will include:



## 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)

- 
1. We reviewed past community engagement efforts in 2009
  2. Intend to discuss community engagement next time
  3. Learned about Administrator salaries and the AG's opinion
  4. Discussed a proposal for a communications procedure bt COC and C/S
  5. Some items were postponed for next time
- c. Oversight Committee statement on role as Steering Committee (Carver)
    - i. Will need to pick- up on other agenda items from this week at another time
  - d. Discussion/possible creation of subcommittees (Schuman)
    - i. Will need to pick- up on other agenda items from this week at another time
  - e. Setting a date for a Special Meeting to tour Emery Unified properties (Carver)
    - i. Calendar to tour EUSD properties?
    - ii. Hayin will send possible dates for a tour

### 5. Q&A, Member comments

- a. Rodney Wong: The Senior Center could be available for COC meetings with proper planning
- b. Marcelline Krafchick: this will be a great adventure given how we try to clarify our role and process
- c. Charlie Schuman: Emery Bay Village will be voting on whether or not the COC can use the community center room for meetings; will be voted on next week
- d. Change Frank Aalbers's email
- e. John Sugiyama: there are assisted hearing devices available by request

### 6. Adjournment, 7:46 PM



**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)

**Last Revised ~~May 13, 2011~~ May 18, 2011**  
**~~Oversight Committee proposal for Measure J expenditure reports.~~**

**DRAFT FOR DISCUSSION – DRAFT FOR DISCUSSION – DRAFT FOR DISCUSSION**

**REQUIRES INTRODUCTORY SENTENCE TO BE DRAFTED BY CHARLIE SCHUMAN**

To enable the Measure J Oversight Committee to perform its obligation to actively review and report on the proper expenditure of taxpayers' money for school construction and to ensure that bond revenues are expended only for the purposes described in the Measure J bond project list, and with the overall understanding that the purpose of the following agreement is to enable the Measure J Oversight Committee and the District to identify any ~~potentially problematic~~ expenditures at the earliest possible time, the Measure J Oversight Committee and the Emery Unified School District agree that:

1. Each School Board staff report discussing a potential **Measure J** District expenditure will clearly indicate:
  - ~~a. the source of funds to be used for that potential expenditure;~~
  - b. The *amounts* of funds to be approved, contractually obligated, or expended; and
  - c. Whether the expenditure is a *one-time or recurring* expenditure and if recurring, its frequency.
2. At each monthly meeting of the Oversight Committee, the Committee will receive a report covering all Measure J expenditures since the last such report, whether spent or approved by the School Board directly or by the Program Manager. The report shall indicate whether expenditure is:
  - a. Approved by the School Board but not yet the subject of a contractual obligation,
  - b. The subject of a contractual obligation, but not yet spent, or spent.
3. The Measure J Expenditures Report will also indicate, so far as is possible, Measure J expenditures that are expected to be the subject of School Board or Program Manager action within the next month.
4. The Measure J Expenditures Report will, to the extent possible, also be provided to the Committee in an agreed-upon electronic format.
5. The Oversight Committee will review each Measure J Expenditure Report promptly and will immediately report any questions or concerns about an expenditure in writing to the School Board.
- ~~6. Members of the Oversight Committee will commit to raising any concerns regarding Measure J Expenditures, in the first instance, with the Oversight Committee.~~
- ~~7. The School Board will not contractually obligate or spend Measure J funds prior to the expenditure appearing on a Measure J Expenditure Report reviewed and approved by the Measure J Oversight Committee.~~

**DRAFT FOR DISCUSSION – DRAFT FOR DISCUSSION – DRAFT FOR DISCUSSION**

Presentation to the EUSD Board of Trustees

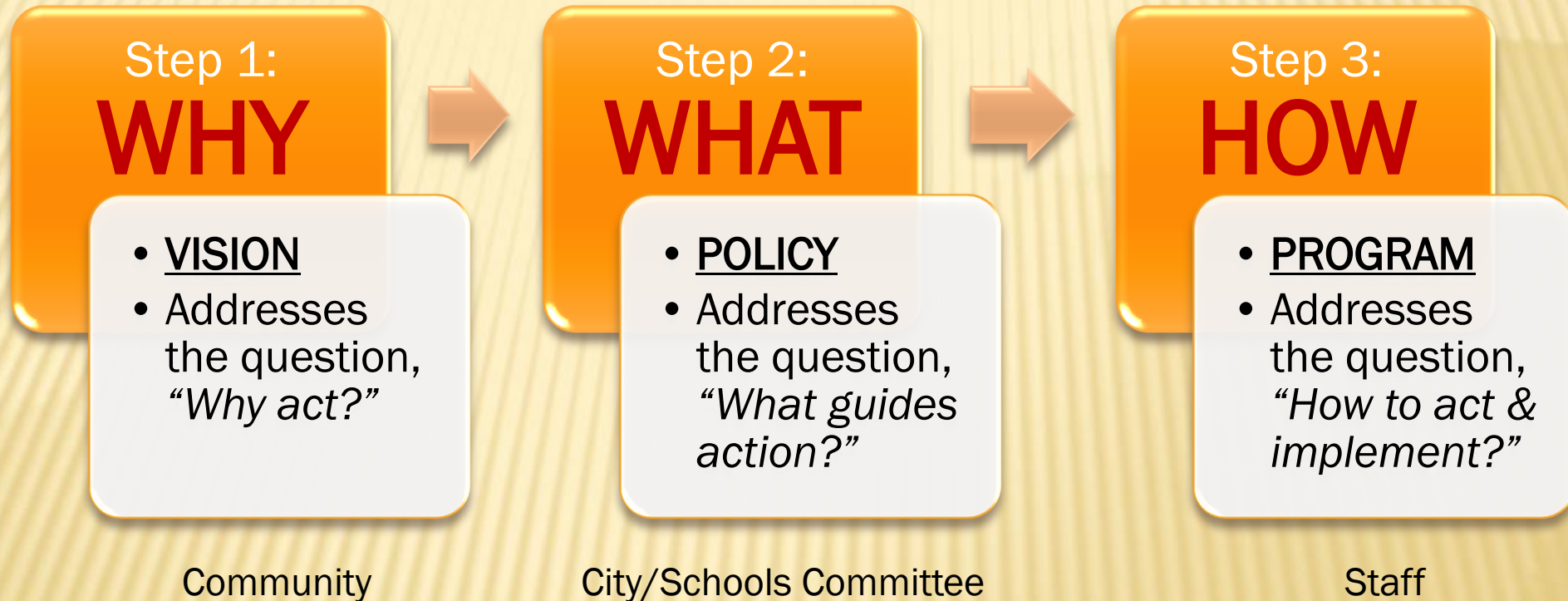
*June 27, 2011*

# **ECCL FELLOWS PROGRAM:**

***A MODEL FOR FACILITY-BUILDING & COMMUNITY-BUILDING FOUNDED ON PARTNERSHIPS***

# ECCL MODEL

FOR FACILITY-BUILDING & COMMUNITY-BUILDING FOUNDED ON PARTNERSHIPS



"Every system produces the results it is designed to produce."

"If you can't describe what you are doing as a process, you don't know what you're doing."

- W. Edwards Deming

# STEP 1. ECCL VISION

## **WHY** BUILD FOUNDATION ON PARTNERSHIPS?

---

*Because together, we intend to create a*

- ✘ High quality of life for all members of the Emeryville community

**“Our community vision is to create and sustain a safe, nurturing, and enriching environment in which youth can flourish and become contributing members of society.**

**The foundation of this vision is a strong and active partnership among the City, EUSD, and ALL segments of the community.”**

*-June 2002, Education and Youth Services Master Plan,  
Emeryville Youth Services Advisory Committee (EYSAC)*

# STEP 1. ECCL GUIDING PRINCIPLES

## **WHY** BUILD FOUNDED ON PARTNERSHIPS?

---

Because...

Emeryville builds a **community** where:

- ✘ People connect in **partnerships** that increase individual strengths.
- ✘ **Wellness** enhances everyone's quality of life.
- ✘ **Diversity** challenges inequality and inspires social justice.
- ✘ **Opportunity for access** to programs and activities is available to all.
- ✘ **Innovation** sustains and regenerates relationships.

*adopted by the City/Schools Committee on 12/02/10*

And specifically for EUSD, because...

- ✘ 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.

*adopted by the EUSD Board of Trustees on 10/17/07*

*Developing a community-building culture in Emeryville*



# STEP 2. ECCL POLICIES

## **WHAT** COURSE OF ACTION GUIDES THE WORK?

Our activities must address all of the following:

- ✘ **Community Engagement** *(adopted by City/Schools 2.3.11)*
  - + Engagement and transparency build community trust
- ✘ **Partnerships** *(adopted by City/Schools 2.3.11)*
  - + Connections build community capacity
- ✘ **Equity** *(adopted by City/Schools 4.7.11)*
  - + Broad distribution of community benefits builds fairness
- ✘ **Wellness** *(adopted by City/Schools 2.3.11)*
  - + High quality of life accessible to all builds resilience
- ✘ **Sustainability** *(adopted by City/Schools 4.7.11)*
  - + Processes that enhance rather than deplete build a better future

*Each policy, implemented on its own, guides an approach to community action.*

*Conducted together, these activities build the cohesive community we envision.*

*To meet City/Schools directives, staff must make progress toward all five goals.*

# STEP 3. ECCL PROGRAM

## **HOW** DO WE BUILD PURPOSEFULLY?

---

### By effectively and efficiently:

- ✘ Building physical and social environments that generate and sustain high-quality community life;
- ✘ Developing the community cohesion intended by City/Schools policies;
- ✘ Extending ECCL staff capacity to advance all five City/Schools policies at once;
- ✘ Modeling the cultural shifts that City/Schools has directed;
- ✘ Deploying resources to impact the entire Emeryville community all at once.

## STEP 3. ECCL PROGRAM

### **HOW** DO WE EXTEND OUR REACH INTO OUR COMMUNITY?

We implement our ECCL project process by developing ambassadors, committed individuals we're calling "FELLOWS", who will:

- ✘ Be recruited from and organized in four groups (Youth, Staff, Community, and Business) supervised by staff;
- ✘ Take responsibility for assisting staff in simultaneously implementing all five City/Schools policies approved for the ECCL project;
- ✘ Take responsibility for assisting staff in implementing the City/Schools resolutions defining community engagement;
- ✘ Act within as well as across groups to build community capacity for meaningful participation in the ECCL project work.

# STEP 3. ECCL FELLOWS PROGRAM

## HOW THE FELLOWS PROGRAM WORKS

ECCL Fellows Responsibilities	ECCL Fellows Incentives
<ul style="list-style-type: none"><li>• Gather/share information <b>WITHIN</b> constituencies (peers, neighbors, colleagues)</li><li>• Gather/share information <b>ACROSS</b> constituencies</li><li>• Serve as coaches, assisting staff &amp; facilitators at community ECCL events</li><li>• Mentor constituents to build community capacity &amp; develop new local leaders</li><li>• Identify &amp; pursue individual interests</li><li>• Make long term commitment to active, grass-roots, community participation</li></ul>	<ul style="list-style-type: none"><li>• Modest stipend</li><li>• Program, scholarship &amp; career connections</li><li>• Program &amp; business development opportunities</li><li>• Internship connections</li><li>• Fulfilling ESS graduation requirements</li><li>• Personalized pathways &amp; project-based learning: high school, college, career</li><li>• Community service connections</li><li>• Community leadership connections</li><li>• Community advocacy connections</li><li>• Familiarity with building &amp; design industry</li></ul>

# STEP 3. ECCL FELLOWS PROGRAM

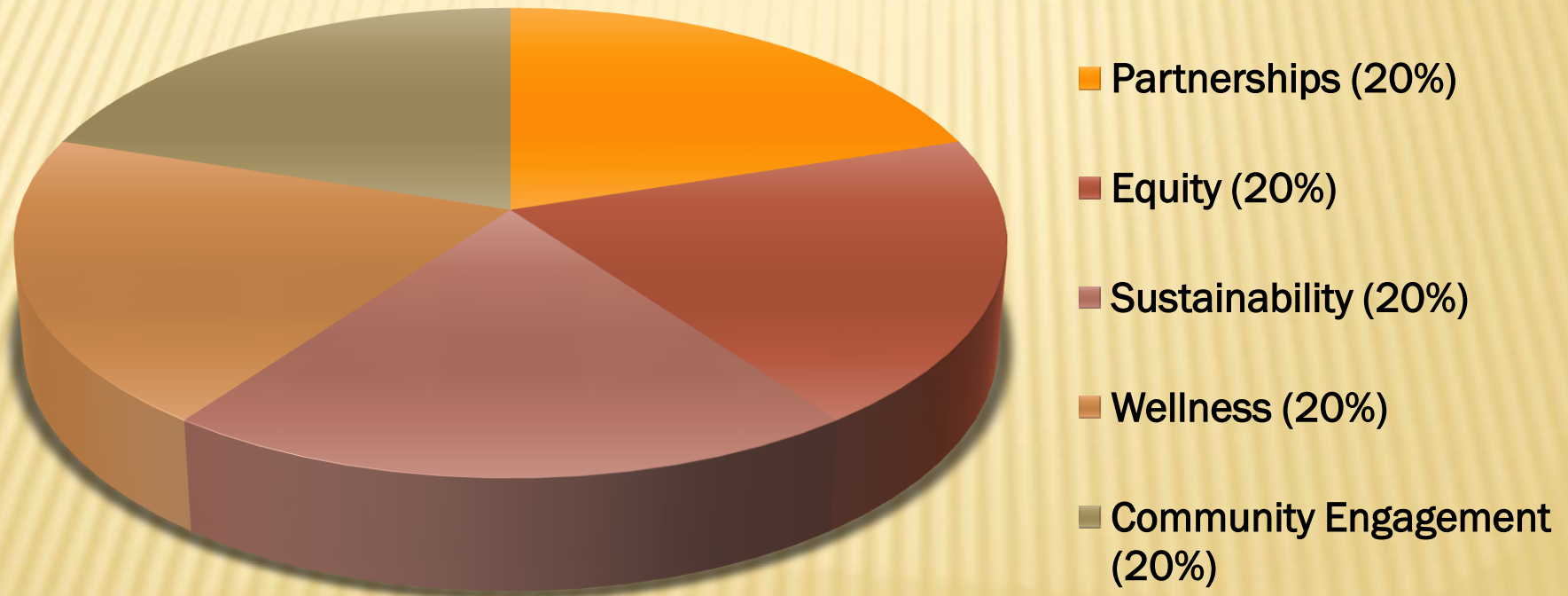
## HOW THE FELLOWS PROGRAM ADDS VALUE

ECCL Fellows Work Plan	Deliverables
<p><b>Community Engagement</b></p> <ul style="list-style-type: none"> <li>• Having informal &amp; formal conversations with multiple constituencies</li> <li>• Chronicling of the ECCL community development process</li> </ul>	<ul style="list-style-type: none"> <li>• House parties</li> <li>• Student town halls</li> <li>• Fellows blogs and videos</li> <li>• Casual neighborhood interactions</li> </ul>
<p><b>Partnerships</b></p> <ul style="list-style-type: none"> <li>• Working across constituency areas to develop new community-building strategies</li> </ul>	<ul style="list-style-type: none"> <li>• Identify program opportunities for project-based learning</li> <li>• Create cross-constituency communication &amp; information networks</li> </ul>
<p><b>Equity</b></p> <ul style="list-style-type: none"> <li>• Empowering and enhancing under-represented community voices in decision-making</li> </ul>	<ul style="list-style-type: none"> <li>• Mentorship of community members</li> <li>• Translation for non-English speakers</li> <li>• Broadening voice in public forums</li> </ul>
<p><b>Wellness</b></p> <ul style="list-style-type: none"> <li>• Bringing relevant concept and design ideas to community members and to the design team</li> </ul>	<ul style="list-style-type: none"> <li>• Active coaching of community members on wellness strategies throughout the design process</li> <li>• Direct input to the design team and info on community challenges</li> </ul>
<p><b>Sustainability</b></p> <ul style="list-style-type: none"> <li>• Maximizing community impact by building local grassroots momentum</li> <li>• Supporting data/evaluation components to assess community engagement process</li> </ul>	<ul style="list-style-type: none"> <li>• Increased participation of youth, adults, staff, and business partners</li> <li>• Conducting data collection activities</li> <li>• Proposing and implementing positive changes to existing protocols</li> </ul>

# STEP 3. ECCL FELLOWS PROGRAM

## **HOW** THE FELLOWS PROGRAM ADDS VALUE

Fellows Activities Make Progress on all five City/Schools Policy Initiatives for ECCL



# STEP 3. ECCL FELLOWS PROGRAM

## **HOW** THE FELLOWS PROGRAM IS DISTINCT FROM THE COC

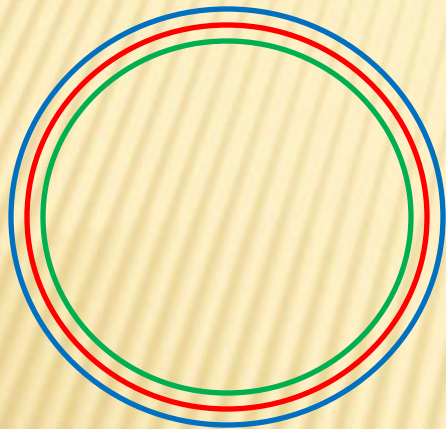
ECCL Fellows Attributes	COC Members Attributes
<ul style="list-style-type: none"><li>• Ambassadors under staff direction</li><li>• No financial duties</li><li>• Enhance capacity of staff to conduct activities that advance all five City/Schools policies simultaneously</li><li>• Commitment contract with staff</li></ul>	<ul style="list-style-type: none"><li>• Independent overseers of expenditures</li><li>• Review expenditures per Measure J</li><li>• Give input to City/Schools on defining and establishing a process for community engagement</li><li>• Volunteers</li></ul>

*Though Fellows and COC are distinct groups, non-quorum numbers of COC members are more than welcome to attend any Fellows events.*

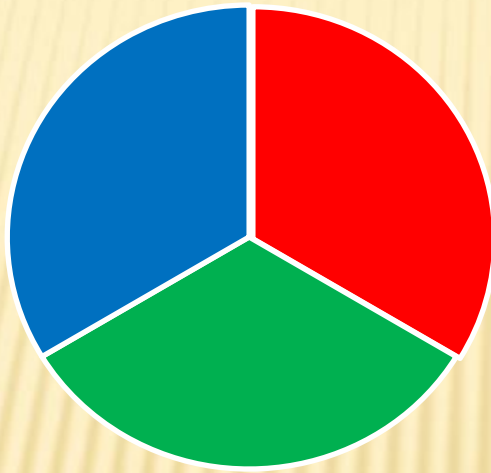
# STEP 3. ECCL FELLOWS PROGRAM

## HOW COMMUNITY ENGAGEMENT INVOLVES FELLOWS

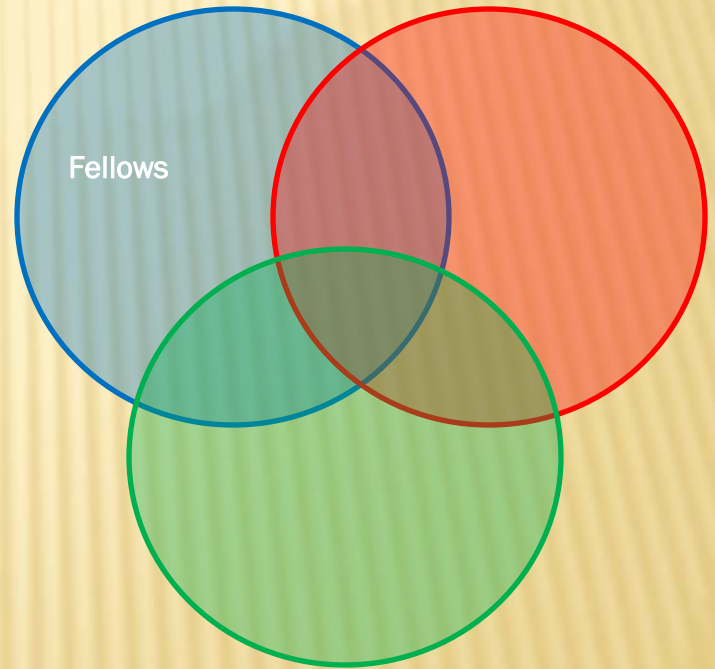
Overlapping



Slicing the pie



Collaborative Efforts



Staff and Fellows

Nexus and Professional Consultants

COC



# STEP 3. ECCL FELLOWS PROGRAM

## **HOW** THE FELLOWS PROGRAM BEGINS

---

### ECCL Fellows: Recruitment & Applications

#### × Finding candidates

- + Broad information distribution – EUSD, City of Emeryville, COC, Chamber of Commerce, local neighborhood associations, websites and blogs, local HOAs, PTOs, local churches and community-based organizations
- + 1 year fellowship service, renewable in one-year increments

#### × How candidates apply

- + Written application
- + 2 letters of recommendation (written, video, audio)
- + References
- + Interviews

#### × How Fellows are selected

- + Review of applications
- + Staff interviews
- + Staff recommendations to the EUSD Board of Trustees

# ECCL FELLOWS PROGRAM

## RETURN ON INVESTMENT

---

### ✘ Returns:

Community engagement benefits +  
Partnership benefits +  
Equity benefits +  
Wellness benefits +  
Sustainability benefits

---

*Greater Community Cohesion,  
Higher Quality of Life in Emeryville,  
& Better ECCL Project*

### ✘ Investment:

Modest Youth, Staff, Community  
stipends +  
Program Coordinator +  
Events

---

**<0.6% of Total Project Funds**

*[already incorporated in MOU#2 budget]*

*Are the returns worth the investment – YES!*

*We'll demonstrate that with an annual program evaluation*

*With success, we'll seek grant funds to expand capacity of the program*

# ECCL FELLOWS PROGRAM

## A MODEL FOR FACILITY-BUILDING & COMMUNITY-BUILDING FOUNDED ON PARTNERSHIPS

- ✘ Chinese proverb
  - Give a man a fish and you feed him for a day.*
  - Teach a man to fish and you feed him for a lifetime.*
  
- ✘ ECCL proverb
  - Give the community an ECCL and they may use it for a day.*
  - Create with the community an ECCL and they will make it part of their lives.*
  
- ✘ Staff recommendations
  - + Don't just deliver the ECCL to the community.
  - + Instead, also **invest in community-building activities** that make the ECCL part of the daily lives of community members.
  - + Commit resources to advance **all five** City/Schools policy directives simultaneously:
    - ✘ *Community Engagement, Partnerships, Wellness, Equity, and Sustainability*
  - + **Invest in local social capital**, critical for the future success of the ECCL and of the Emeryville community.

*The return on investment will be enormous*





## 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)

---

### Citizens Oversight Committee (COC)

#### Measure J and the Emeryville Center of Community Life (ECCL)

June 14, 2011 at 5:30 p.m.

#### **SPECIAL COC MEETING**

#### ***EUSD Facilities Tour – Emery Secondary School and Anna Yates Elementary School***

#### COC members present:

Lisa Carlisle  
Brian Carver  
Elizabeth Cooley  
Shirley Enomoto  
Ronald Henry  
Judy Inouye  
Joy Kent  
Marcelline Krafchick  
Dave Martinez  
Barbie Robinson  
Charlie Schuman  
Rodney Wong  
Tom Rauch

Frank Aalbers

#### COC members absent:

Kelly Maddox  
Mitchell Fine  
Andrea Sanchez-Cortez

#### Others present:

John Sugiyama (EUSD Superintendent)  
Roy Miller (EUSD Architect)  
Hayin Kim (EUSD Dir. of Youth & Community Engagement)

5:30 PM – COC Members met at the Emery Secondary School Atrium (1100 47th Street).

5:35 PM – Conversation with John Perry, Director of IT and ESS walk through

6:10 PM – Walk to Emeryville Recreation Center and Tour with Darryl Hampton

6:20 PM – Walk to Anna Yates Elementary (1070 41st Street)

6:25 PM – AY walk through

7:20 PM – Debrief and 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 Emery Unified School District, 510-601-4000.*

**EXCERPTS FROM THE RALPH M. BROWN ACT,  
CALIFORNIA GOVERNMENT CODE 54950-54963.**

**54953.3.** A member of the public shall not be required, as a condition to attendance at a meeting of a legislative body of a local agency, to register his or her name, to provide other information, to complete a questionnaire, or otherwise to fulfill any condition precedent to his or her attendance.

If an attendance list, register, questionnaire, or other similar document is posted at or near the entrance to the room where the meeting is to be held, or is circulated to the persons present during the meeting, it shall state clearly that the signing, registering, or completion of the document is voluntary, and that all persons may attend the meeting regardless of whether a person signs, registers, or completes the document.

**54953.5.** (a) Any person attending an open and public meeting of a legislative body of a local agency shall have the right to record the proceedings with an audio or video recorder or a still or motion picture camera in the absence of a reasonable finding by the legislative body of the local agency that the recording cannot continue without noise, illumination, or obstruction of view that constitutes, or would constitute, a persistent disruption of the proceedings.

(b) Any audio or video recording of an open and public meeting made for whatever purpose by or at the direction of the local agency shall be subject to inspection pursuant to the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1), but, notwithstanding Section 34090, may be erased or destroyed 30 days after the recording. Any inspection of an audio or video recording shall be provided without charge on equipment made available by the local agency.

**54953.6.** No legislative body of a local agency shall prohibit or otherwise restrict the broadcast of its open and public meetings in the absence of a reasonable finding that the broadcast cannot be accomplished without noise, illumination, or obstruction of view that would constitute a persistent disruption of the proceedings.

**54954.1.** Any person may request that a copy of the agenda, or a copy of all the documents constituting the agenda packet, of any meeting of a legislative body be mailed to that person. If requested, the agenda and documents in the agenda packet shall be made available in appropriate alternative formats to persons with a

**EXCERPTS FROM THE RALPH M. BROWN ACT,  
CALIFORNIA GOVERNMENT CODE 54950-54963.**

disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. Upon receipt of the written request, the legislative body or its designee shall cause the requested materials to be mailed at the time the agenda is posted pursuant to Section 54954.2 and 54956 or upon distribution to all, or a majority of all, of the members of a legislative body, whichever occurs first. Any request for mailed copies of agendas or agenda packets shall be valid for the calendar year in which it is filed, and must be renewed following January 1 of each year. The legislative body may establish a fee for mailing the agenda or agenda packet, which fee shall not exceed the cost of providing the service. Failure of the requesting person to receive the agenda or agenda packet pursuant to this section shall not constitute grounds for invalidation of the actions of the legislative body taken at the meeting for which the agenda or agenda packet was not received.

**54954.2.** (a) (1) At least 72 hours before a regular meeting, the legislative body of the local agency, or its designee, shall post an agenda containing a brief general description of each item of business to be transacted or discussed at the meeting, including items to be discussed in closed session. A brief general description of an item generally need not exceed 20 words. The agenda shall specify the time and location of the regular meeting and shall be posted in a location that is freely accessible to members of the public. If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. The agenda shall include information regarding how, to whom, and when a request for disability related modification or accommodation, including auxiliary aids or services may be made by a person with a disability who requires a modification or accommodation in order to participate in the public meeting.

(2) No action or discussion shall be undertaken on any item not appearing on the posted agenda, except that members of a legislative body or its staff may briefly respond to statements made or questions posed by persons exercising their public testimony rights under Section 54954.3. In addition, on their own initiative or in response to questions posed by the public, a member of a legislative body or

**EXCERPTS FROM THE RALPH M. BROWN ACT,  
CALIFORNIA GOVERNMENT CODE 54950-54963.**

its staff may ask a question for clarification, make a brief announcement, or make a brief report on his or her own activities. Furthermore, a member of a legislative body, or the body itself, subject to rules or procedures of the legislative body, may provide a reference to staff or other resources for factual information, request staff to report back to the body at a subsequent meeting concerning any matter, or take action to direct staff to place a matter of business on a future agenda.

(b) Notwithstanding subdivision (a), the legislative body may take action on items of business not appearing on the posted agenda under any of the conditions stated below. Prior to discussing any item pursuant to this subdivision, the legislative body shall publicly identify the item.

(1) Upon a determination by a majority vote of the legislative body that an emergency situation exists, as defined in Section 54956.5.

(2) Upon a determination by a two-thirds vote of the members of the legislative body present at the meeting, or, if less than two-thirds of the members are present, a unanimous vote of those members present, that there is a need to take immediate action and that the need for action came to the attention of the local agency subsequent to the agenda being posted as specified in subdivision (a).

(3) The item was posted pursuant to subdivision (a) for a prior meeting of the legislative body occurring not more than five calendar days prior to the date action is taken on the item, and at the prior meeting the item was continued to the meeting at which action is being taken.

(c) This section is necessary to implement and reasonably within the scope of paragraph (1) of subdivision (b) of Section 3 of Article I of the California Constitution.

**54954.3.** (a) Every agenda for regular meetings shall provide an opportunity for members of the public to directly address the legislative body on any item of interest to the public, before or during the legislative body's consideration of the item, that is within the subject matter jurisdiction of the legislative body, provided that no action shall be taken on any item not appearing on the agenda unless the action is otherwise authorized by subdivision (b) of Section 54954.2. However, the agenda need not provide an opportunity for members of the public to address the legislative body



**EXCERPTS FROM THE RALPH M. BROWN ACT,  
CALIFORNIA GOVERNMENT CODE 54950-54963.**

on any item that has already been considered by a committee, composed exclusively of members of the legislative body, at a public meeting wherein all interested members of the public were afforded the opportunity to address the committee on the item, before or during the committee's consideration of the item, unless the item has been substantially changed since the committee heard the item, as determined by the legislative body. Every notice for a special meeting shall provide an opportunity for members of the public to directly address the legislative body concerning any item that has been described in the notice for the meeting before or during consideration of that item.

(b) The legislative body of a local agency may adopt reasonable regulations to ensure that the intent of subdivision (a) is carried out, including, but not limited to, regulations limiting the total amount of time allocated for public testimony on particular issues and for each individual speaker.

(c) The legislative body of a local agency shall not prohibit public criticism of the policies, procedures, programs, or services of the agency, or of the acts or omissions of the legislative body. Nothing in this subdivision shall confer any privilege or protection for expression beyond that otherwise provided by law.

**54956.5.** (a) For purposes of this section, "emergency situation" means both of the following:

(1) An emergency, which shall be defined as a work stoppage, crippling activity, or other activity that severely impairs public health, safety, or both, as determined by a majority of the members of the legislative body.

(2) A dire emergency, which shall be defined as a crippling disaster, mass destruction, terrorist act, or threatened terrorist activity that poses peril so immediate and significant that requiring a legislative body to provide one-hour notice before holding an emergency meeting under this section may endanger the public health, safety, or both, as determined by a majority of the members of the legislative body.

(b) (1) Subject to paragraph (2), in the case of an emergency situation involving matters upon which prompt action is necessary due to the disruption or threatened disruption of public facilities, a legislative body may hold an emergency meeting without complying with either the 24-hour notice requirement or the 24-hour posting requirement of Section 54956 or both of the notice and posting

**EXCERPTS FROM THE RALPH M. BROWN ACT,  
CALIFORNIA GOVERNMENT CODE 54950-54963.**

requirements.

(2) Each local newspaper of general circulation and radio or television station that has requested notice of special meetings pursuant to Section 54956 shall be notified by the presiding officer of the legislative body, or designee thereof, one hour prior to the emergency meeting, or, in the case of a dire emergency, at or near the time that the presiding officer or designee notifies the members of the legislative body of the emergency meeting. This notice shall be given by telephone and all telephone numbers provided in the most recent request of a newspaper or station for notification of special meetings shall be exhausted. In the event that telephone services are not functioning, the notice requirements of this section shall be deemed waived, and the legislative body, or designee of the legislative body, shall notify those newspapers, radio stations, or television stations of the fact of the holding of the emergency meeting, the purpose of the meeting, and any action taken at the meeting as soon after the meeting as possible.

(c) During a meeting held pursuant to this section, the legislative body may meet in closed session pursuant to Section 54957 if agreed to by a two-thirds vote of the members of the legislative body present, or, if less than two-thirds of the members are present, by a unanimous vote of the members present.

(d) All special meeting requirements, as prescribed in Section 54956 shall be applicable to a meeting called pursuant to this section, with the exception of the 24-hour notice requirement.

(e) The minutes of a meeting called pursuant to this section, a list of persons who the presiding officer of the legislative body, or designee of the legislative body, notified or attempted to notify, a copy of the rollcall vote, and any actions taken at the meeting shall be posted for a minimum of 10 days in a public place as soon after the meeting as possible.

**54957.5.** (a) Notwithstanding Section 6255 or any other provisions of law, agendas of public meetings and any other writings, when distributed to all, or a majority of all, of the members of a legislative body of a local agency by any person in connection with a matter subject to discussion or consideration at an open meeting of the body, are disclosable public records under the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1), and shall be made available upon request without delay. However, this section shall not include any writing exempt from

**EXCERPTS FROM THE RALPH M. BROWN ACT,  
CALIFORNIA GOVERNMENT CODE 54950-54963.**

public disclosure under Section 6253.5, 6254, 6254.3, 6254.7, 6254.15, 6254.16, or 6254.22.

(b) (1) If a writing that is a public record under subdivision (a), and that relates to an agenda item for an open session of a regular meeting of the legislative body of a local agency, is distributed less than 72 hours prior to that meeting, the writing shall be made available for public inspection pursuant to paragraph (2) at the time the writing is distributed to all, or a majority of all, of the members of the body.

(2) A local agency shall make any writing described in paragraph (1) available for public inspection at a public office or location that the agency shall designate for this purpose. Each local agency shall list the address of this office or location on the agendas for all meetings of the legislative body of that agency. The local agency also may post the writing on the local agency's Internet Web site in a position and manner that makes it clear that the writing relates to an agenda item for an upcoming meeting.

(3) This subdivision shall become operative on July 1, 2008.

(c) Writings that are public records under subdivision (a) and that are distributed during a public meeting shall be made available for public inspection at the meeting if prepared by the local agency or a member of its legislative body, or after the meeting if prepared by some other person. These writings shall be made available in appropriate alternative formats upon request by a person with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof.

(d) Nothing in this chapter shall be construed to prevent the legislative body of a local agency from charging a fee or deposit for a copy of a public record pursuant to Section 6253, except that no surcharge shall be imposed on persons with disabilities in violation of Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof.

(e) This section shall not be construed to limit or delay the public's right to inspect or obtain a copy of any record required to be disclosed under the requirements of the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1). Nothing in this chapter shall be construed to require a legislative body of a local agency to place any paid advertisement or any other paid notice in any publication.

**Oversight Committee statement on role as Steering Committee.**

**DRAFT FOR DISCUSSION – DRAFT FOR DISCUSSION – DRAFT FOR DISCUSSION**

The Measure J Oversight Committee is charged with being a Steering Committee for the scope of work and with ensuring community engagement as stipulated by the Measure J bond language. The Core Values of Public Participation that were incorporated into the Measure J bond language commit the School District to engaging in a public participation process that, among other things:

- involves those affected by a decision in the decision-making process;
- promises that the public's contribution will influence the decision;
- promotes sustainable decisions by recognizing and communicating the needs and interests of all participants, including decision makers;
- seeks out and facilitates the involvement of those potentially affected by or interested in a decision;
- seeks input from participants in designing how they participate;
- provides participants with the information they need to participate in a meaningful way; and
- communicates to participants how their input affected the decision.

The Oversight Committee believes that these commitments dictate that its role as a Steering Committee for the scope of work must be based in part on and in conjunction with a response to such a community engagement process and to such information as is provided by the District. The Oversight Committee will implement a community engagement process that honors these principles and then will endeavor to make the best recommendations regarding the scope of work to the District that it can, informed by this community engagement process and the diverse insights that the Committee members bring to this work.

**DRAFT FOR DISCUSSION – DRAFT FOR DISCUSSION – DRAFT FOR DISCUSSION**