



**The Quarterly Report
of the
Citizens' Oversight Committee
for the
2nd Quarter 2004/2005 School Year**

24-January-2005

Second Quarterly Report
of
The Citizens' Oversight Committee
for the
2004/2005 School Year

The Citizens' Oversight Committee, herein referred to as the committee, held two meetings during this quarter. One of these meetings was to finalize the quarterly report, which has since been submitted to the Board, and the other was a regularly scheduled meeting. No meeting was held in the month of December.

The committee discussed filling the vacant Taxpayer Organization representative position on the committee. This position became vacant when Mr. Calta submitted his resignation. We also discussed the absence of a Parent Teacher Organization representative on the committee. It was agreed that we would request that the Board either increase the committee's size by another member to accommodate a Parent Teacher Organization representative or to reclassify an existing committee member, who meets the criteria, to be the Parent Teacher Organization representative. The committee believed that Mr. Payne who now serves as a "Parent of a District Student" representative may meet the Parent Teacher Organization representative requirements.

District staff continues to do an excellent job providing us with needed documentation and other assistance, when requested. Mr. Bachor of PCM3 has also been extremely helpful by providing us with copies of their Construction Program Monthly reports. Mr. Bachor has attended each of our meetings and he has made himself available to answer questions and to provide other relevant information.

Copies of the Construction Program Project Management Team Member Roles and Responsibilities Matrix document were provided. This document clearly delineates who is to be held accountable and for what. Progress reports for each site where Measure M monies are being spent along with copies of current change orders were provided. We also received current project cost information, which included the dollar amounts for change orders that have been approved, are pending approval, and those which are projected.

The committee learned of the difficulties associated with being granted DSA approval. Proceeding with construction without acquiring DSA approval at the appropriate juncture was one of the items cited within the county's audit findings and it has manifested itself to this committee as change orders which may not have been required if the rules had been followed. The committee's position is that the district must meet all regulatory requirements and as a result the time estimated to meet any regulatory requirements must be factored into the timeline for the completion of a project.

The committee was informed that the district had decided to award the contract to conduct the next performance audit to the firm of Glenn Gelman and Associates. Committee members were receptive to this information since we had previously voiced our support for this firm to conduct the next performance audit.

The question was raised as to whether construction related litigation expenses could be paid from Measure M monies and we were informed that the district has sought input on this issue from the Office of Public School Construction.

Dr. Andersen briefed the committee on the District's response to each of the findings in the County's Audit that included the safeguards, already implemented and which will be implemented, to prevent a recurrence of the events that led to the county's audit of the district. The committee was receptive to the district's responses while realizing that the county has the final say regarding the viability of the district's responses. We anticipate receiving and evaluating the District's formal response to the County audit in the near future. The committee will at that time evaluate the impact, if any, on Measure M projects.

Shortly before our regularly scheduled November meeting committee members received copies of the Legal Opinion of Attorney General Bill Lockyer. In this document he opined whether a school district may use bond proceeds for the salaries of district employees who perform administrative oversight work on construction projects. The committee discussed this opinion briefly before it was decided that we must await the district's position on this opinion before responding as a committee.

The committee's position will become better defined upon learning more about whether it is permissible to use bond proceeds for litigation expenses, the district's interpretation of the Attorney General's opinion, and the county's evaluation of the district's responses.

For additional specifics about any item that appears within this quarterly report please refer to the attached meeting minutes.

Respectfully submitted,

The Citizens' Oversight Committee

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Citizens' Oversight Committee Members

<u>Member Name</u>	<u>Term Ends</u>
Andy Anderson	7/2005
Maurice Ayala	7/2005
Gerald W. Bruce	7/2006
Michael Calta	7/2005
Darrin Dalton	7/2006
Glenn Duncan	7/2006
Steven Elie	7/2006
Roger Larkin	7/2005
Gary Larson	7/2005
Michael Payne	7/2006
Paul Rodriguez	7/2006
Geoffrey VandenHeuvel	7/2005
Alan Wapner	7/2006

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