

**BANNING UNIFIED SCHOOL DISTRICT
161 W. WILLIAMS STREET
BANNING, CALIFORNIA**

**MINUTES OF THE 26th GENERAL MEETING OF
CITIZENS OVERSIGHT COMMITTEE, MEASURE R**

June 4, 2014

Meeting held at:
**District Administration Center
Board Room**

1. Call to Order

The meeting was called to order at 5:12 p.m.

2. Roll Call and Establishment of Quorum

Present: Richard Krick, *Committee President*; Carole Ranney-Davies; Kerri Mariner; Veronica Topete; Chris McCallum

Absent: Susan McQuown & Diana Benhar were out of town

Community Member Present: None

BUSD Staff Present: Robert T. Guillen, Superintendent of Schools & Kookie Williams, Facilities Account Technician

Guests Present: Peggy Reyes and Roger Clarke of Ruhnau, Ruhnau & Clarke (RRC), Project Architects, & Joe Ledesma of Ledesma & Meyer (L&M), Project Construction Management

3. Approval of Minutes

Motion by Chris McCallum to **Approve** Minutes of April 2, 2014:

Carole Ranney-Davies seconded the Motion to **Approve**

Ayes – 5

Nays – 0

Motion carried

4. Communications

Community Concerns

None

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Committee Concerns

Kerri Mariner emailed Kookie Williams April 22, 2014 after speaking to one of the Morongo Council Members about a possible donation for the tennis court lighting. She was advised that a letter needed to be drawn up. Not seeing this on the Agenda, she asked about it.

Susan McQuown wrote an email that was handed out at the meeting. In it she expressed discomfort with *“telling the public that the District is in compliance with Article XIII A requirements when money was expended not only for the facilities themselves, but on legal fees and administrative salaries”*. She also felt the COC’s annual Report should include the balance of the unsold bond funds.

Cabinet Comments

Robert Guillen answered Kerri Mariner saying that in consulting with the District’s Native American Liaison, we found that the procedure for asking for a donation from the Morongo Band of Mission Indians is to write a letter in addition to submitting an application. Being that the date had already passed for accepting applications for the current school/fiscal year, the District had not drawn up the letter as of this meeting.

Peggy Reyes, upon reading Susan McQuown’s email earlier in the day, called Alex Bowie of Bowie, Arneson, Wiles & Giannone, Attorneys at Law and was told verbally that it is acceptable to pay legal fees from Bond funds when the legal issue is dealing with a project paid for out of Bond funds. The balance of unsold bonds was included in the Report.

5. Information/ Discussion

5.1 Citizens’ Oversight Committee Annual Public Report

Richard Krick, Committee Chair, recognized Susan McQuown’s email and brought up that legal counsel had written a statement in 2008 when the issue of Administrative Salaries had come up in another COC meeting, saying that it was OK to pay the portion of a salary that is proportional to the time they spend on Bond issues. It is not OK to pay salaries outside of that scope. The Administrative Salaries that were paid out of Bond funds were not paid during the current fiscal year, nor were they paid during the year that the Committee will be reporting, which ended June 30, 2013. Regarding the use of Bond monies for legal fees, Mr. Krick asked the members present if they would like to call for a vote on whether or not they are comfortable spending from the \$5,146.09 balance of Measure “R” funds in order to get a written statement from legal proving what was told to Peggy Reyes over the phone. Carol Ranney-Davies motioned to call for a vote to “not” pay for a

5.1 Continued...

a legal written opinion answering the question of using Bond funds for legal fees. Veronica Topete seconded the motion. The motion carried and Kookie Williams called out the names of the members present and took their verbal vote as follows:

Richard Krick – Aye
Veronica Topete – Aye
Carole Ranney-Davies – Aye
Kerri Mariner – Nay
Chris McCallum – Aye

Ayes – 4

Nays – 1

5.2 New Measure “R” Oversight Member

Robert Guillen, Superintendent, welcomed new member, Chris McCallum

5.3 Updates from Project Architect & Construction Manager

Joe Ledesma (L&M) gave a presentation of construction, showing recent pictures of the tennis courts and concession stand. There was discussion on the infrastructure for surveillance. It does exist and the District will purchase and install the cameras at a later date, not yet scheduled.

Roger Clarke (RRC) answered a question as to which equipment was kept in the Concession Stand and which was cancelled. Members discussed regulations surrounding use of specific equipment for sale of specific types of goods. They questioned how equipment still needed can be purchased.

Chris McCallum asked *“who writes off on the completed project so that the District has exactly what they paid for”*. There was discussion and members decided to do a preliminary site walk on Thursday, June 19, 2014 at 5:00 p.m., and would like to schedule a second site walk the second week of July to see the final project.

5.4 BHS Project and other Measure “R” Reports

No discussion other than Richard Krick, member Chair, referring to the table showing a total of \$5,146.09 as the ending revenue balance of Measure “R” funds while discussing the issue mentioned above in **5.1**.

5.5 Potential Appreciation Bond Sale – Refinancing of Measure “R” Bond

Carol Ranney-Davies asked if refinancing would bring extra funding to the District. Robert Guillen explained that it would not, but would instead bring down the amount the District has to pay back, and in so doing, would make local taxes go down for homeowners.

5.6 BHS Athletic Facilities, Phase 1 Equipment List (*tabled*)

Chris McCallum mentioned that some equipment had been sitting in the District Warehouse for years, and when it was finally brought to the High School, that within a few days it was missing. He wants accountability.

The High School staff had not had time to do their share of the inventory due to year-end business and graduation. This incomplete inventory was tabled after a motion to wait until Susan McQuown could be present at the meeting to discuss it because it was her request. The motion carried.

Ayes – 5

Nays – 0

5.7 Current Measure “R” COC Members and their Terms

Veronica Topete expressed sadness when noticing that Richard Krick was on his third and final term.

6. Action

6.1 Confirm Annual Public Report for Next Board Meeting

- Veronica Topete motioned for a Roll Call for members to vote to approve the Annual Report. Carole Ranney-Davies seconded that motion and Kookie Williams called out the names of those members present at the meeting. The vote went as follows:
 - Richard Krick – **Aye**
 - Veronica Topete – **Aye**
 - Carole Ranney-Davies – **Aye**
 - Kerri Mariner – **Abstain**
 - Chris McCallum - **Abstain**
- Richard Krick, Chair Member, signed the Report and gave it to Peggy Reyes
- Veronica Topete agreed to be at the June 26, 2014 Board Meeting to present the Report
- Kookie Williams has a copy of the Report to attach to the Board Agenda

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6.2 Confirm Next Meeting Date and Time

The Committee Members present at the time, by consensus approved the next meeting time and date of *5:00 p.m. on Wednesday, August 6, 2014 in the District Office Board Room.*

The following future meeting date and time was also agreed upon:

Wednesday at 5:00 p.m. –

October 1, 2014

In addition, the COC preliminary site walk at the Banning HS Tennis Courts and Concession construction area was confirmed for:

Thursday at 5:00 p.m. –

June 19, 2014

Attendees will meet at the site off of San Gorgonio.

7. Future Agenda Items

8. Adjournment

At 7:02 p.m., Veronica Topete motioned that the meeting adjourn. Richard Krick seconded the Motion. The motion carried and the Committee adjourned at that time.

Ayes – 5

Nays – 0