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Lobbying Public Agencies by Day, Guarding Public Dollars by Night

Oct. 29, 2015 | By Ashly McGlone | www.voiceofsandiego.org

EXCERPT: ... Berg lobbies public and private agencies for electrician jobs by day, and by night he chairs the bond oversight committee, a group tasked with ensuring the district's \$4.9 billion in bond dollars are spent as promised to voters without waste.

Berg has held these dual roles - advocating for contractors and taxpayers alike - for years, and not just at San Diego Unified. He's also served on school bond oversight committees at Poway Unified, the Sweetwater Union High School District and the San Diego Community College District over the last decade. ...

...The fact that following San Diego Unified's bond money leads you to the pockets of many of Berg's electricians and his bosses, he says, is inconsequential.

... Electricians Win Big Bond Bids

As chief executive of the San Diego chapter of the National Electrical Contractors Association, Berg earns \$160,000 a year. Nearly all of the association's \$1.2 million in annual revenue comes from member dues from over 50 electrical firms, IRS tax forms show.

Berg's 11 bosses on NECA's board of directors are the heads of several local businesses that regularly work for the district and have obtained school contracts, sometimes without a competitive bidding process, district records show. ...

Michael Turnipseed, president of the *California League of Bond Oversight Committees* and executive director of the *Kern County Taxpayers Association*, said the exchange in which Berg threatens to advise a contractor to sue the district shows "He's bringing his day job into the arena."

"If he is sending emails like that, he should step down, in my humble opinion, because you are going way beyond your scope as a bond oversight committee member," Turnipseed said. "There's asking the question and there's getting involved."

"You need to have people that don't have a perceived or vested interest in the outcome of their deliberations," said Nick Marinovich, a League of Bond Oversight Committees board member and chair of the Sweetwater Union High School District bond oversight committee. "They need to be independent of any outside influences that could cloud their judgment. ... The master is the taxpayers on these committees. That's who the boss is." ...

Districts Seem Fine With the Arrangement

California law forbids employees as well as "A vendor, contractor, or consultant of the school district" from serving on a bond oversight committee.

Berg said he's been verbally advised by each government agency he's served that he doesn't have a conflict since neither he nor NECA receive district compensation. Only the NECA members he serves do. ...

To read the complete article please visit:

<http://www.voiceofsandiego.org/topics/education/lobbying-public-agencies-by-day-guarding-public-dollars-by-night/>

Sweetwater District OKs Labor-Pact Talks

Oct. 27, 2015 | By Allison Sampite-Montecalvo | sandiegouniontribune.com

EXCERPT: The Sweetwater Union High School District may change the way it does business with contractors after its board voted earlier this month to negotiate the terms of a union-friendly deal known as a project labor agreement.

The vote was 4-0. Those voting for the agreement were supported by the teacher's union in last fall's election. Vice-president Nick Segura recused himself due to his position as president of the International Brotherhood of Electrical Workers, Local 569.

If the negotiated terms are approved by board members, the agreement with the San Diego Building and Construction Trades Council would require contractors who win project bids funded by Proposition O and Mello-Roos districts to operate under union rules.

Although the terms are being worked out, such deals often set standards for wages, local hiring and health care for workers. They require laborers to pay union dues whether they are members or not. Critics say the agreements increase costs of public projects, costing taxpayers money, and unfairly exclude nonunion workers. ...

Theresa Andrews, interim president and CEO for the San Diego County Taxpayers Association, asked the board to postpone voting on the item to give the community's taxpayers the opportunity to weigh in.

"We are very disappointed that the Sweetwater board members would direct staff to negotiate a PLA for the tail end of your first bond series sale, without properly informing the taxpayers and allowing them the opportunity to comment," Andrews said.

The association supported the 2006 \$644 million ballot measure for school classroom safety and repair.

Prop. O is subject to accountability requirements, including independent citizen oversight and annual audits of whether improvements specified in the district's facilities master plan are completed efficiently and as promised. Nick Marinovich, chair of the Citizens' Bond Oversight Committee, called a special meeting Oct. 15 to discuss its response to the board for what he said was lack of transparency for not including the committee or public in discussion on the value of labor agreements.

"My concern is that we need to get this (bond) program on the right track and the right track is that we need data-driven decisions," Marinovich said. Vice-chair Dan Gutowski agreed.

"Why is this a better move?" he asked. "What's the cost benefit analysis? I don't really see the PLA as being the sole answer. And we can't tell because we don't have the data."

In the end, the committee sent a letter to the board with recommendations, requesting a four-month moratorium on the adopted resolution in order to consider the pros and cons of the labor pacts. ...

To read the complete article please visit:

<http://www.sandiegouniontribune.com/news/2015/oct/27/sweetwater-district-oks-labor-pact-talks/>

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To promote school district accountability by improving the training and resources available to California's Proposition 39 School Bond Oversight Committees and educating the state legislature, local school boards and the public about the oversight and reporting powers these Citizens' Bond Oversight Committees (CBOCs) have, and to advocate on a state level, where appropriate, on issues of common concern to all CBOCs.

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