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March 2, 2016

ISSUE 90



Save the Date
CaLBOC Statewide Annual Conference
Tuesday, May 31, 2016

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Mission Statement

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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CaLBOC: CBOC Operation Guidelines

This 18 page document provides a basis for the BOC to perform a self-assessment of their operations and identify training needs. Could be used as an outline for developing a training program for committee members.

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To view all with topics visit: calboc.org/reviews.html

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Builder Emails Fresno Unified 'We Are a Go' Months Before School Board Votes on Projects

Feb. 20, 2016 | By MacKenzie Mays | www.fresnobee.com

EXCERPT: Months before Fresno Unified school board members had a chance to vote on school construction projects that now are under federal investigation, the builder who ultimately got the job wrote an email to district officials saying "we are absolutely a go" in reference to those multimillion-dollar projects. ...

In the July 15, 2011, email, Mike Spencer, vice president of Harris Construction, writes to Fresno Unified Chief Operations Officer Karin Temple and former facilities officer Lisa Leblanc about plans for projects at Fresno, Roosevelt and Bullard high schools. Those projects were not officially awarded to Harris Construction by the Fresno Unified school board until several months later, at separate public board meetings...

A Harris Construction representative declined to comment, citing the ongoing federal investigation of its "lease-leaseback" deals with Fresno Unified. The investigation also is probing deals made with Bush Construction and any financial dealings between district officials and contractors. ...

The district's use of preconstruction contracts has played out in court, with trustees questioning their legality. According to the preconstruction contracts for the Roosevelt, Bullard and Fresno high school projects, in return for the district's selection of Harris Construction for the general project, consulting services "shall be performed at no cost to the district." However, should the district use another contractor to construct the project, it must pay Harris Construction \$5,000, the contract says.

The preconstruction contracts were not individually approved by the school board, and critics say the agreements pose a conflict of interest by allowing contractors to act as a consultant on a project they are later awarded. ...

"We're under investigation by the FBI, and whether it's a violation of federal law or state law, this is wrong on all levels," [Trustee Brooke Ashjian] said. "I'm going to leave it to law enforcement to decide if it's criminal. The board is supposed to be running the school district. The board is responsible for the school district.

"We hired the superintendent, and he is not keeping us in the loop. I don't care if they got all 10,000 employees of FUSD to sign off on it, it's not valid and it's not legal. Any contract has to come before the board, period."

Mills, an attorney, said that the Education Code regarding contracts is clear. If the contracts are deemed invalid, Harris Construction could have to repay the district. ...

The leaseback financing process is under scrutiny across the state. Meanwhile, a pending legal case brought by another Fresno contractor alleges that Fresno Unified deliberately misused the leaseback process to assure that Harris Construction would receive a \$37 million Gaston Middle School project.

Fresno Unified has signed 25 leaseback deals since 2011 - a majority of which were paid for by Measure Q, a bond measure that Harris Construction and its owner, Richard Spencer (Mike's father), contributed the top donations to help pass. Richard Spencer also has contributed to school board members' election campaigns. ...

To read the complete article please visit:

<http://www.fresnobee.com/news/local/education/article61443937.html>

CaLBOC Statewide Conference
Tuesday May 31, 2016

Getting It Right... Successful Bond Programs

The California Chamber of Commerce (CalChamber)
 1215 K St #1400, Sacramento, CA 95814

Tentative Agenda

- 10:00-10:15** Welcome - Michael Turnipseed, CaLBOC President
- 10:15-11:00** Task Force on Bond Accountability:
Task Force Report. Co-Chair Fred Keeley
- 11:00-11:45** 20 Years of Successful Citizen Oversight
Tim Towers, Santa Clara Unified
- 11:45-12:15** Lunch - Plates Catering
- 12:15-1:00** Invited Keynote Speaker:
John Chiang, State Treasurer
- 1:00-1:15** Presentation of Anton Jungherr Award
- 1:15-2:00** A Successful Anstron Project Story
Larry Adams, Santa Clara Unified
- 2:00-2:45** Construction Performance Audits:
How to Achieve Your Construction Program Goals
Curtis Mathews, Moss Adams.
- 2:45-3:00** Closing - Michael Turnipseed, CaLBOC President

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