



May 1, 2014

ISSUE 55



Friday May 9, 2014

CaLBOC Statewide Conference

"Citizen's Oversight: Protecting Integrity and Value"

Keynote Speaker: John Chiang, State Controller

Location: University of California - Sacramento Center
1130 K Street, Sacramento, CA 95814

Individual tickets \$50 - Table & Sponsorships Available
Includes Lunch and Refreshments

Limited Seating - Register Now!

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Third Annual CaLBOC Statewide Conference
Friday May 9th 2014

A G E N D A
9:30 am - Registration

10:00

Introductory Remarks
Michael Day, CaLBOC President 2013-14

10:15

Increasing Use of Long Term Debt to Pay for Short Term Costs
- Jon Coupal, President, Howard Jarvis Taxpayers Association

11:00

CaLBOC Anton Jungherr Award for Service to Citizen Oversight
- Senator Mark Wyland, Vice Chair, Senate Education Committee
- Assembly Member Joan Buchanan, Chair, Assembly Education Committee

11:30

LUNCH, Catered by *Plates Catering*, an outreach effort of the *St. John's Shelter for Homeless Women and Children*

12:15

Keynote Address:
John Chiang
California Controller

1:00 - Break

1:15

Development & Use of a School Debt Toolbox for COEs
- Mary Barlow, Assistant Superintendent, Kern County Office of Education

2:00

Pay-to-Play: What it is, and Why it is Wrong
- Dan Mierzwa, Treasurer, Yuba County
- Lori Raineri, Principal, Government Financial Strategies Inc.

2:45 - Closing Remarks

LIMITED SEATING Register Now!

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.

Archived Newsletters

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

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CaLBOC Conference Keynote Speaker | www.sco.ca.gov

John Chiang, California State Controller

First elected in November 2006 to serve as California's Chief Fiscal Officer, Controller John Chiang was re-elected to a second term in November 2010. Upon taking office, he took immediate action to weed out waste, fraud and abuse of public funds and make the State's finances more transparent and accountable to the public. He has proposed reforms to the State's public pension systems, helped local governments navigate complex requirements during difficult economic times, protected California's precious natural resources, ensured that more than \$2.9 billion in unclaimed property was returned to the rightful owners, and launched California Strong financial and tax assistance seminars for families, seniors, small businesses and non-profit organizations.

As the State's chief fiscal officer, John Chiang brings extensive experience and fiscal leadership to the State Controller's Office. Chiang was first elected to the Board of Equalization in 1998 where he served two terms, including three years as chair. He began his career as a tax law specialist with the Internal Revenue Service and previously served as an attorney in the State Controller's Office.

As the State's chief independent fiscal watchdog, Chiang provides sound fiscal control over more than \$90 billion of public funds. Since 2007, he has aggressively used his auditing authority to identify more than \$6 billion in taxpayer dollars that were denied, overpaid, subject to collection, or resulted in revenues, savings and cost avoidance

As Controller during the worst economic downturn since the Great Depression, Chiang was forced to delay payments and issue IOUs in order to preserve cash to meet obligations to education and bond holders. His cash management was cited as instrumental in keeping the State's credit rating from plunging into junk status, which saved taxpayers millions of dollars.

The son of immigrant parents, Chiang graduated with honors from the University of South Florida with a degree in Finance. He received his law degree from the Georgetown University Law Center.

Pay-to-Play | San Diego South County School Districts

San Ysidro trustee steps down after all

April 30, 2014 | By Ashley McGlone | www.utsandiego.com

EXCERPT: San Ysidro schools trustee Yolanda Hernandez stepped down Wednesday evening, a day after her sentencing in the ongoing corruption probe at three South County school districts.

At her sentencing on Tuesday in Chula Vista, Hernandez received community service and probation, but Judge Ana Espana allowed her to stay in office.

On Wednesday, **U-T Watchdog** raised questions with district officials, attorneys and legal experts across the state - many of whom did not see how Hernandez could remain in office. Confusion ensued, along with meetings among school officials and lawyers.

State law mandates that an elective office be vacated when the official is convicted of any violation involving his or her duties. ...

...Hernandez was one of 15 elected officials and contractors indicted in 2012 in a probe by District Attorney Bonnie Dumanis of pay-to-play allegations at three school districts. She is the 10th defendant sentenced, but the first who seemed poised to remain in office after her case concluded.

Her departure could have implications for two Sweetwater Union High School District board members who pleaded guilty last week and are to be sentenced in June. Neither expected to leave office, and Espana issued a finding that they were authorized to keep their board seats.

"The court came to that conclusion after reviewing the statute pertaining to this particular offense," Espana said in court, without citing a statute.

Government Code Section 1770 states, "An office becomes vacant" when an elected official is convicted of "any offense involving a violation of his or her official duties."

Hernandez pleaded guilty to omitting information about gifts from contractors on state disclosure forms, signed under penalty of perjury.

U-T Watchdog discussed the code section with several legal experts on Wednesday - including the San Ysidro district's lawyer - and they all thought the law was clear:

- Michael Colantuono, a municipal attorney who was named Public Lawyer of the Year in 2010 by the California Bar Association: "I do not read that statute to give the court any discretion. It provides that they lose their office upon conviction of a felony or upon a misdemeanor of their official duties."
- Dan Shinoff, attorney for the San Ysidro and Sweetwater schools: "My reading of 1770 is that if you are convicted of a felony or found guilty of wrongdoing relative to your duties in office, that your seat becomes vacant. I don't think that's complicated, but you can't just ignore the judge's ruling."
- Robert Fellmeth, founder and director of the University of San Diego's Center for Public Interest Law: "It's not a discretionary statute at all. You are 'vacant.' You're gone."

... The court did not seem to know anything about 1770 at all." ...

To read the complete article, please visit:

<http://www.utsandiego.com/news/2014/apr/30/yolanda-hernandez-resigns-san-ysidro-corruption/>

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