



California Public Benefits Corporation  
Done Right Corporation was formed on September 19, 2019  
**18 Board Minutes, Saturday, May 13, 2023**

Bond Oversight  
bondoversight.org

**MINUTES BOARD OF DIRECTORS**

**Saturday, May 13, 2023, at 10:00 AM via Zoom**

**PURPOSE STATEMENT**

“CABOC is the trusted and independent source of information, education, training, and assistance on school bond oversight to CBOC members and California taxpayers. Proposition 39 (2000) lowered the threshold for local voter approval of school bond measures to 55%. It was accompanied by the mandate to establish independent CBOCs to oversee school bond expenditures and report findings to governing boards, taxpayers, and the general public.

“Our mission is to develop the tools: training materials, newsletters, workshops, and conferences to enable CBOC members to engage in rigorous independent oversight and fulfill their obligations to ensure and report that bond money has been spent adequately for the benefit of students, families, their communities and all Californians and to represent our collective interests at the statewide level.” (Articles of Incorporation January 14, 2023)

**To participate remotely using Zoom:** Log into Zoom from your laptop, PC, desktop, or tablet and enter the meeting ID 873 3925 8072, passcode 293000. If you are calling in only, you will also need the meeting phone: 1.669.444.9171, after which you will be prompted for the meeting ID.

CABOC Advisors, Members, and others are invited to attend and speak at this meeting. Date:

Saturday, May 13, 2023, Time: 10:00 AM, Place: Zoom

**Item 1: Call to Order** – President Carolyn Castillo at 10:05 a.m.

**Item 2: Roll Call Directors** – Secretary Anton Jungherr



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Name	County	Present	Absent
Tahir Ahad	Solano	X	
Marc Carrel	Los Angeles		X
Carolyn Castillo	Los Angeles	X	
Marcus Crawley	Alameda	X	
Chris Hanson	San Francisco	X	
Gina Haynes	Contra Costa	X	
Jason Hunter	Riverside	X	
Anton Jungherr	Contra Costa	X	
David Lyell	Riverside		X
Jonathan Reynolds	San Luis Obispo	X	
Ourania Riddle	Solano		X
Thomas Rubin	Alameda	X	
Laura Santos	Los Angeles	X	

**Item 3: Introduction of Advisors, Members, and Friends** – Secretary Anton Jungherr

Other participants included Mike Frattali, Stephen Petzold, Bryan Scott, Judy Rose, Rex Ridgeway, Manuel Jimenez, Christine Cordaro, Susan Lustig, and Denise Sheehan.



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**ACTION**

**Item 4: Ratification of President Carolyn Castillo’s Appointments to the Board of Directors**

CABOC Bylaws Article 6, Section 7(e) provides, “The president has the sole authority to fill a vacancy in any director or officer position for the remainder of the term, subject to ratification of the board.”

The Board has 16 authorized positions, of which 13 are filled, and three are vacant (one in Northern California and two in Central/Southern California).

President Carolyn Castillo has appointed the following to vacant Board positions:

- Lucille Castillo Lyon, Los Angeles County (8)<sup>1</sup>
- Michael J. Frattali, San Diego County (16)
- Manuel Jimenez, Sacramento County (19)

*Motion: President Carolyn Castillo’s appointments of Lucille Castillo Lyon, Michael J. Frattali, and Manuel Jimenez as Directors for terms starting May 13, 2023, and ending January 31, 2025, be ratified by the Board of Directors. **Approved***

The new directors introduced themselves.

Historical Note: Today was the first time since CABOC’s September 19, 2019, incorporation that the Board of Directors filled all 16 authorized positions.

**Item 5: CBOC Members’ Names and Email – Invitation of a Lawsuit**

The 3,600 Citizens’ Bond Oversight Committee (CBOC) members on 521 K-12 community college districts Proposition 39 Citizens’ Bond Oversight Committees (484 established before 2022 and 37 established in 2022) are our customers. For over two years, CABOC has used California Public Record Act requests to districts for the names and emails of CBOC members.

Of the 484 CBOCs established before 2022, 31 districts have refused to provide names and emails, citing privacy concerns. Another 30 districts have yet to respond to multiple requests. Therefore, no names and emails have been received from 61 districts or 13%.

<sup>1</sup> Page reference to the attached page



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Having the names and email addresses of current and future CBOC members is essential for us to accomplish our education and training purposes.

Our General Counsel, Susan Lustig, has given us an opinion. (21)

David Loy, Legal Director of First Amendment Coalition, has also provided an opinion on this matter. (24)

*Recommended Motion: Executive Director, in consultation with General Counsel Lustig and Legal Committee, is authorized and directed to cause the initiation of legal action to determine if the name and email addresses of a CBOC member is a public record subject to disclosure by a California Public Records Act request. The legal action contemplated herein is inclusive of any courts in California.*

Jason Hunter motioned to amend the recommended motion by adding “if CABOC pays only expenses.” The proposed amendment was seconded and discussed. The amendment lost on a voice vote of Yes 3, No 6, Abstentions 4, Absent 3. Total voting = 16.

The recommended motion was moved, seconded, discussed, and approved on a roll call vote: Yes 10: Ahad, Castillo, Crawley, Hanson, Jimenez, Jungherr, Lyon, Reynolds, Rubin, Santos. No 3: Frattali, Haynes, Hunter. Absent 3: Carrel, Lyell, Riddle. Total voting = 16

### **Item 6: Does an Independent CBOC Have the Right to Create and Adopt Bylaws? – Request a California Attorney General Opinion**

In July 2022, CABOC surveyed by California Public Records Act requests, a sample of 205 districts of the 499 using a random number generator. This sample size will produce results with a confidence level of 95% and a confidence interval of 5%.

The survey result: The district governing boards adopted almost all the bylaws. Nearly one-half of the bylaws state that the CBOC is not independent. About one-half of the CBOCs cannot determine their meeting schedule. Three-quarters (74%) of the CBOCs cannot approve their bylaws.

A CBOC cannot be independent if it must operate under bylaws approved by the governing board.

See Jonathon Reynolds, J.D. (CABOC Board Director and Law Clerk to General Counsel Susan Lustig) email on this matter. (27)

Any member of the California Legislature can ask the California Attorney General for an opinion. See



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Guidelines Regarding Attorney General Opinions Under Government Code Section 12519. (28)

*Motion: With the concurrence of General Counsel Lustig and Legal Committee, Executive Director is authorized and directed to request a State Legislator to ask the State Attorney General for his opinion.*

**Approved**

Tom Rubin volunteered to act as CABOC Parliamentarian. President Castillo accepted his offer. In the future, Mr. Rubin will be listed on each agenda as the CABOC Parliamentarian.

**Item 7: Does an Independent CBOC Have the Right to be Represented by an Independent Legal Counsel Paid for by the District? – Request a California Attorney General Opinion**

It is CABOC's position that if an independent CBOC needs legal advice, it should be provided by an independent attorney where the attorney-client privilege is the CBOC's independent attorney, and the district should pay the cost. It is CABOC's position that there is a conflict of interest for the district's legal counsel/bond counsel to provide legal advice to the independent CBOC.

The Los Angeles Unified School District has an independent legal counsel. (32) West Contra Costa Unified School District had an independent legal counsel from March 2015 to November 2020, when he retired and was not replaced. (35) Attorney Ferber has issued an opinion on this matter. (37) The Little Hoover Commission supports this action. (40)

*Motion: With the concurrence of General Counsel Lustig and Legal Committee, Executive Director is authorized and directed to request a State Legislator to ask the State Attorney General for his opinion.*

**Approved**

**Item 8: Joint Marketing Agreement, *Becoming an Effective Watchdog*, a Paper Back Book by Bryan Scott.**

Bryan Scott has written and self-published *Becoming an Effective Watchdog* (copyright by Bryan Scott 2022, 2023) for Proposition 39 Citizens' Oversight Committees. Bryan Scott acknowledged Jack Weir and Nick Marinovich for sharing "their lengthy practical experience." A pre-publication review copy (not for distribution) has been mailed to each Board Member.

Attached is a proposed joint marketing agreement for this paperback book with the following deal points:

- Sales price of \$50, \$40 to Scott, and \$10 to CABOC.
- CABOC to process orders.



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- Scott and CABOC must approve the contents.
- Scott will provide ten hours per month of editing, education, and training development service to CABOC without compensation for renewable periods of 12 months (a \$9,000 value). Hours over ten per month will be invoiced at \$75 per hour.

*Motion: Executive Director is authorized and directed to sign the attached joint marketing agreement with Bryan Scott. (41) **Approved***

### **Item 9: Best Practice Bylaws**

The CABOC Training Materials Committee (Marcus Crawley, Chair) has approved the first CABOC Best Practice Document - Bylaws Citizens' Bond Oversight Committee. These draft bylaws have been published twice for peer review in *The CABOC Digest* (an electronic newsletter distributed to over 3,000 subscribers.)

The Training Materials Committee recommends approval.

*Motion: Approve Best Practice Bylaws Citizens' Bond Oversight Committee, subject to the final edition by the Executive Director. (45) **Approved***

### **Item 10: Resolution Honoring the Achievements of Director Emeritus Jack Weir**

At January 14, 2023, CABOC Board meeting, Co-Founder & Chairperson Jack Weir was elected the first CABOC Director Emeritus. Jack Weir provided inspiration, insight, and wisdom during the formative years of CABOC.

Jack Weir has been a taxpayer advocate for over 40 years. In recognition of his many achievements, it is proposed that the following Resolution be approved.

#### **Resolution Honoring the Achievements of Taxpayer Advocate Jack Weir**

**WHEREAS** Jack Weir has been a taxpayer advocate for over 40 years. He founded the Pleasant Hill Taxpayers Association in the early 1980s and became a member of the Alliance of Contra Costa Taxpayers; and

**WHEREAS** Mr. Weir became a member of the Contra Costa Taxpayers Association, serving as president and executive director; and

**WHEREAS** Mr. Weir has served on six Proposition 39 school citizens' bond oversight committees. For over 20 years, he has served in monitoring and reporting to the public on over \$1 billion in school bonds; and

**WHEREAS** Mr. Weir served on the board of directors of the now-inactive California League of Bond Oversight Committees. He chaired the group that wrote a business plan to revitalize its mission and outreach.



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That effort was not successful; and

**WHEREAS** Mr. Weir, in 2019, co-founded and served as chairperson of the California Association of Bond Oversight Committees; and

**WHEREAS** Mr. Weir sees the most serious hurdle to effective bond oversight stems from the citizens' bond oversight committee members needing to fully understand the critical importance of being independent and not subservient to district leaders.

**NOW THEREFORE BE IT PROCLAIMED** that the California Association of Bond Oversight Committees do hereby recognize Jack Weir for 40 years of taxpayer advocacy, his passion for independent Proposition 39 school citizens' bond oversight committees, his commitment to excellent school facilities for kids and extend congratulations on his election as the Director Emeritus.

In witness whereof, I hereto set my hand this 13<sup>th</sup> day of May 2023.

Carolyn Castillo, President

*Motion: That the Resolution Honoring the Achievements of Taxpayer Advocate Jack Weir be approved.*

**Approved**

### **Item 11: Total School Solutions Support for Editing Training Videos**

Tahir Ahad, a CABOC Board Director elected on January 14, 2023, Annual Membership Meeting, has offered to assist us in editing training videos during their excess capacity at no cost to CABOC.

“Total School Solutions has offered districts and schools top-notch professional development since 1999. Our instructors are highly accomplished current and previous educational leaders with extensive expertise who are dedicated to assisting educators in honing their abilities to eventually improve student learning. Our seminars and courses are geared toward lifelong learners who want to develop their skills to achieve their objectives. We have a long history of success and adopt a realistic approach when teaching people the abilities required to succeed in a school or district context. Throughout the state, our alumni may be found in almost every profession. We provide a wide range of courses in administration, technology, human resources, special education, and teaching, as well as academies for new and aspiring leaders in the fields of business, maintenance, and child nutrition services.” (About TSS PD Platform website)

*Motion: Executive Director is authorized to work with Total School Solutions to edit the CABOC training videos at no cost to CABOC.* **Approved**



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**ACTION CONSENT**  
 All items are to be voted on by one motion unless the item is removed for a separate vote.

**Item 12: Approve Minutes, January 14, 2023**

The draft minutes were previously distributed to the Board of Directors and are on the website.

*Recommended motion: January 14, 2023, minutes be approved.*

**Item 13: Approve Minutes, March 25, 2023**

*Recommended motion: March 25, 2023, minutes be approved (50)*

**Item 14: Bylaws Amendment**

It is proposed that the Bylaws be amended as follows:

Page <sup>2</sup>	Current	Proposed	Why change?
3	Voting membership is open to current and former Proposition 39 or other jurisdictions CBOC members, CABOC board members, and advisors.	Add. <u>“and others passionate about independent school bond construction oversight.”</u>	To broaden voting membership.

Note: At the January 14, 2023, Board meeting, a proposal to amend Article 6, Directors, Section 5, Terms of Office was discussed and then tabled. Section 5, Terms of Office, reads, “The term of office for elected directors will be two years beginning February 1 and ending January 31 after the time the election results are verified and announced at the annual meeting.” This section was proposed to be amended “... and ending January 31 **or until their successor has been elected and qualified.**” At today’s meeting, no change was presented to be made to this section.

*Recommended Motion: The Bylaws amendments displayed on the attached page be approved. Further, the Secretary is authorized to edit the Bylaws using Grammarly, a text editing software application. (51)*

<sup>2</sup> Bylaw page number





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**Item 15: Board Policy 6 Website Documents Approval Process Amendments**

Various minor amendments are proposed to make the review process of training materials more efficient.

*Recommended motion: Board Policy 6 Website Documents Approval Process be amended as displayed in this agenda's attachment. (52)*

**Item 16: Conference 2023**

*Recommended Motion: Executive director is authorized and directed to plan and conduct two statewide conferences during 2023:*

- *August 12, 2023, 1<sup>st</sup> Annual Conference for new CBOC members*
- *October 14, 2023, 3<sup>rd</sup> Annual Conference*

**Item 17: Annual Membership Meeting January 20, 2024, at 10:00 AM**

*Recommended motion: Annual Membership meeting via Zoom on Saturday, January 20, 2024, at 10:00 am.*

Jason Hunter requested that Item 16 Conferences 2023 be removed from the Consent Agenda for a separate discussion and vote.

*Consent items 12-15 and 17 were **approved**.*

*Consent Item 16 Conferences 2023 was discussed and **approved**.*

Note: After this vote, it was determined that the next Board meeting is scheduled for August 12, 2023, the same date as the 1<sup>st</sup> Annual Conference for New CBOC Members. The Executive Director changed the date of the 1<sup>st</sup> Annual Conference for New CBOC Members to Saturday, August 19, 2023, to avoid a schedule conflict.

**DISCUSSION**

**Item 18: Committee Reports**

There were no reports.



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**Item 19: Communication/Public Relations Strategy to Support Legislation Around CBOC Independence**

Laura Santos stated that she would reactivate the Public Relations Committee to consider this matter.

**Item 20: Revenue Plan/Model to Support CABOC's Initiatives**

There was no discussion.

**INFORMATION**

**Item 21: Corporate Officers as of April 30, 2023 (56)**

**Item 22: Organization Chart as of April 30, 2023 (57)**

**Item 23: Directory as of April 30, 2023 (58)**

**Item 24: Resignation of Director Rich Baron March 14, 2023 (61)**

**ADJOURNMENT**

**Item 25: Next quarterly Board meeting is on Saturday, August 12, 2023, at 10:00 AM**

**Item 26: Comments from Directors, Advisors, Members, and Participants**

The following persons commented: Rex Ridgeway, Stephen Petzold, Jason Hunger, Michael Frattali, Manuel Jimenez, Carolyn Castillo, Chris Hanson, and Missy Cindrich.

**Item 27: Adjournment by President Carolyn Castillo at 12:06 p.m.**

Date of Minutes: May 13, 2023  
Denise Sheehan, Administrative Manager  
Distribution: CABOC Members (voting) and website

Attachments to the agenda packet are included in the minutes posted on the website. Distribution copies of the minutes do not have attachments, as they were included in the agenda packet for this meeting.

## **LUCILLE CASTILLO LYON MPA**

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56 Hunter Point Road, Pomona, California 91766  
Telephone: (909) 620-0162

### **OBJECTIVE:**

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To obtain an executive position where I can utilize my expertise in fiduciary management, strategic planning and risk analysis to make a positive contribution to the organization.

### **QUALIFICATIONS:**

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A result driven professional, who strives to identify and implement best practices within human service and governmental organizations.

Specific accomplishments include:

- ◆ Manage a county department with overall responsibility to direct the day-to-day operation of the Office of the Public Guardian and Public Administrator. Responsibilities included: conducting an assessment of the agency to determine strengths, weaknesses, and organizational priorities and creating an action plan to improve the operation. Developed organizational goals for all functions within the department, developed and implemented performance measurements for managerial staff. Oversee staff managing budget, revenue collection, personnel matters including hiring personnel, ensuring timely preparation of performance evaluations, following rules regarding employee discipline and termination. Manage staff conducting purchasing activity, personal property management and real property sales/management. Ensured the development and implementation of policies and procedures and tracking of outcome measurements. Interface with the County Board of Supervisors, other County, Federal and State agencies regarding issues dealing with clients.
- ◆ Effectively re-designed a fiduciary organization to care for severely mentally disabled adults and older adults. Planned, directed and managed a staff of 31 individuals who administered over 1,000 conservatorship cases with responsibility to oversee care, consent to medical procedures consistent with Court authorized medical powers, and placement. In addition the staff was responsible for applying for governmental benefits, monitoring income, paying expenses, handling real and personal property. Staff included psychiatrists, licensed clinical social workers, nurses, supervising deputy public guardians, deputy public guardians, clerical, accounting, and estate property technicians. Developed and implemented auctions procedures for the sale of personal property. Monitored compliance with local court rules to ensure that court reports, inventories and appraisals, court accounts were filed on time achieving in excess of ninety- percent compliance.
- ◆ Enhanced revenue by implementing new fee structure and tracking collections. Initiated claims for SB 90 (state mandate funding), targeted case management (TCM) and medical administrative claiming (MAA). Increased fee collections from \$86,000 to \$500,000 a year. Collected \$60,000 a year for SB 90 claims until the program terminated. Targeted case management claims started at \$181,000 and increased to \$276,000 a year. Worked with counsel on defending the fee calculations instituted by the Auditor Controller. Prepared Board of Supervisors agenda item to approve fees.
- ◆ State Mandate Commission Test Claim: Contacted and worked closely with the Los Angeles County Auditor Controller to prepare a test claim to the Commission on State Mandate seeking cost reimbursement for work related to probate conservatorship. Test claim was accepted by the Commission on Mandates and the county is awaiting further hearings to determine if the Commission will approve funding. This process usually takes five years and

has the potential of funding County Probate Conservatorship programs and related attorney costs. The next hearing date is March 2013.

- ◆ Implemented a new computer system at the Public Guardian's office (Riverside County). This system provided general client information and served as a banking system that created individual client financial ledgers reporting income and disbursements. This system generated fiduciary court accountings. Also participated in the evaluation of a new software program recently purchased by the Los Angeles County Treasurer Tax Collector for the Public Administrator and Public Guardian function.
- ◆ Developed and implemented three new programs within the Office of the Riverside County Public Guardian. The programs included a mental health representative payee program, MIST and IMD revenue collection program. Activities included establishing a task force to identify the target population, referral process, admission criteria and policies and procedures. Responsible for writing job duty statements and position justifications. All three programs were very successful.
- ◆ Proposed legislation, Senate Bill No. 2488, which was carried by M. Bergeson addressing the disclosure of confidential information within county agencies. This bill was approved by the Governor on September 8, 1990 and remains as state law, Welfare and Institutions Code Section 5328.05. This waiver of confidentiality allowed county agencies to disclose confidential information for the purpose of coordinating services to older adults.
- ◆ Involved with the county contracting processes and assisted in the preparation for Request for Proposal for new facilities. Reviewed and rated proposals for banking services, computer services and consulting services. Developed scope of work requirements to contract for services on complex trust which ultimately resulted in developing a service agreement to retain the services of certified public accountants.
- ◆ Researched California Title 9 Regulations to develop and implement policies and procedures for a public mental health agency. Developed specific procedures to ensure compliance with federal and state regulations. Conducted training related to new policies. Ensured the agency's sites were certified by Medi-Cal, State Department of Drug and Alcohol and CARF (Commission on Accreditation of Rehabilitation Facilities). Managed medical record staff to ensure that medical chart standards of accessibility, integrity and releases of medical information were met. Managed the agency's facility and MIS department for a short period.
- ◆ Conducted a countywide strategic planning process on issues related to Probate Conservatorship. This process included leading the strategic process by identifying stakeholders, providing an overview of the probate conservatorship process to discuss issues, solutions and implementing plans.
- ◆ Reviewed proposed legislation relating to public guardian, social service and mental health issues and if any legislation affected the department would write position papers. Successfully proposed legislation related to a waiver of confidentiality when county agencies met in a multidisciplinary setting.
- ◆ Developed and conducted a management evaluation of a public guardian agency. Conducted research and presented papers and training at the National Guardianship Association and California Association of Public Administrators, Public Guardians and Public Conservators related to: Ethics, Preparation of Court Inventories and Appraisals, Court Accountings for Conservatorship and Decedent Estates, Assessments for Probate Conservatorships, Basic Principles of Trust Administration, Managing Household Employees and Effective Training for Fiduciary Organizations. The number of people attending the various trainings and presentations ranged from 50 to 250.

- ◆ Solid verbal and communications skills with individuals at all organization levels. Experienced in conducting presentations to community groups, public officials, peers, clients and family members.
- ◆ Directed the development of policies and procedures for an outpatient mental health program providing services to children, adults and older adults. Programs included general mental outpatient treatment programs, crisis stabilization services and drug and alcohol programs. Prepared the agency for Medi-Cal site certifications, CARF accreditations and accreditation for drug and alcohol programs. Developed agency compliance program, conducted Medicare gap analysis, chaired the agency's compliance committee.

## **EMPLOYMENT**

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MANAGEMENT ANALYST III (Extra help) 1/17 to 6/20  
 Santa Clara Public Administrator/Public Guardian San Jose, Ca.

Develop policies and procedures for the agency. Meet with staff to discuss processes and develop a final product.

PUBLIC GUARDIAN/ASSISTANT PUBLIC ADMINISTRATOR 7/29/11 to 3/12/14  
 Orange County Public Guardian/Public Administrator

Directed the operation of both the Public Administrator and Public Guardian by conducting an assessment of the organization to determine strengths, weakness and establish an action plan to re-align the agency to achieve goals and objectives. Ensure that each function of the department, Deputy Public Guardians/Administrators, accounting, real and personal property management, and administrative support staff work together effectively to provide exceptional services to persons adjudicated by the court as being incapacitated. The other target population is the effective management of estates for decedents who resided in Orange County.

DIVISION CHIEF – MENTAL HEALTH 2/25/09 to 7/28/11  
 Los Angeles County – DMH Public Guardian Los Angeles, California

Manage the day to day operation of the LPS conservatorship program including the training function and quality improvement. Current projects include development of training modules for staff related to reviewing medical records, working with other mental health providers to establish protocols between FSP providers and the public guardian and continue to improving the quality of court investigations and estate administration. Developed goals and monitoring compliance for each unit. Personally managed a complex conservatorship and trust case with two active corporations.

ACTING DEPUTY DIRECTOR 4/1/08 TO 2/24/09  
 Los Angeles County – DMH Public Guardian Los Angeles, California

Manage the day-to-day operation of the Office of the Public Guardian until the appointment of a permanent Director. Consulted on a weekly basis with the Chief Deputy for Mental Health regarding the issues within the office, and participated in the Executive Management Team. During this period participated in a variety of meetings with the Treasurer, Tax Collector and Public Administrator regarding development of a new software program, identified operational deficiencies related to estate management, developed action plans and began meetings with affected parties to address these deficiencies. Oversaw the identification of outstanding LPS court accounts and developed steps to process these accountings. Also identified areas to improve coordination of mental health services for adults residing in skilled nursing homes, and met with court representatives to establish trustee services for dependent children.

DIVISION CHIEF – MENTAL HEALTH  
Los Angeles County – DMH-Public Guardian

4/30/06 to 4/1/08  
Los Angeles, California

Overall management responsibility for the LPS section of the division. Oversee the training and quality improvement section for the division. Ensure that LPS investigations are completed timely with comprehensive information gathered. Directed specific studies to examine the efficiency of the operation, such as conducting mental health investigations, marshaling assets and preparing court inventories and appraisals. Directed accessing new funding sources for the office that included MAA claiming and assisting the Auditor Controller in filing a test claim to access state mandate funds. Interfaced with other county agencies in addressing conservatorship issues such as other County Wide Resources, IMD Administration and Jail Services. Conduct community presentations explaining the services of the Public Guardian. Developed policy and procedures for the department and also participated in DMH Policy and Procedure Committee and Clinical Risk Management Committee. Assisted the deputy director with budgets, development of job duty statements, performance expectations performance evaluations, reviewed legislation and improved the maintenance of conservatorship records.

DIVISION CHIEF- MENTAL HEALTH  
Los Angeles County Department of Mental Health

2/1/06 to 4/29/06  
Los Angeles, California

Provide administrative support function for the department. Activities include interfacing with other county departments related to the provision of services to conservatee's. Oversaw the court accounting support function to identify accounting backlog, and preparation of the court accounting document. Prepared job duties and justifications for new positions.

MENTAL HEALTH SERVICES COORDINATOR 1  
Los Angeles County Department of Mental Health

12/03 to 2/1/06  
Los Angeles, California

Administrative support to the Deputy Director on special projects such as development of an updated policy and procedure manual, risk analysis on transportation services and analysis of the probate conservatorship accounting process. Attended a variety of meetings at the Mental Health Department related to the planning process of the Mental Health Services Act. Managed the accounting staff responsible for preparing court accounting. Assignment includes assigning cases, providing direction and training and coordinating work with counsel. Worked with the Deputy Director to respond to a Public Records request.

RISK MANAGER  
Tri-City Mental Health Center

4/15/02 to 7/03  
Pomona, California

Managed the Risk Management program for the agency, which included evaluating organizational risk to determine insurance coverage, loss control program, driver training program, illness and injury program, and a variety of specialized safety programs for a mental health agency. Interfaced with insurance underwriters regarding the renewal of insurance policies and compliance with the SIR as it related to excess workers compensation. Received and reviewed all claims filed against the agency, recommended either settlement of the claim or denial to the Agency's Governing Board. Managed all the subpoenas for the agency and provided guidance on confidentiality issues. Chaired the Safety Committee and developed an Illness and Injury Program. Interfaced with Cal Osha when safety issues/investigations were conducted.

COMPLIANCE MANAGER  
Tri-City Mental Health Center

7/00 TO 4/15/02  
Pomona, California

Developed and implemented the Compliance Program for the agency. Duties included writing a Compliance Plan, conducting risk analysis, writing policies and procedures and conducting training. Prepared a variety of compliance reports and conducted some investigations. Became

familiar and knowledgeable about Medicare regulations, CPT Codes, HCPCS Codes, and ICD-9 Codes related to mental health billing and documentation requirements. Policy and Procedure development that included preparing MacLaren Crisis Stabilization and TBS Policy and Procedure Manuals. Provided overall management of the medical records department.

ADMINISTRATIVE MANAGER  
Tri-City Mental Health Center

3/98 to 7/00  
Pomona, California

I developed policies and procedures for the agency. Prepared policy and procedure manuals that included Alcohol and Drug, Vocational Program and Crisis Stabilization. Also wrote a variety of clinical policies including confidentiality, medical record documentation requirements, medication storage and emergency response. Prepared the agency for specific clinical sites for Medi-Cal certification and successfully certified three treatment locations. Successfully obtain a three-year CARF accreditation. I managed the medical record, maintenance and MIS departments.

CHIEF DEPUTY PUBLIC GUARDIAN  
County of Riverside, Department of Mental Health

10/84 TO 3/98 (161 months)  
Riverside California

Managed and directed the Office of the Riverside County Public Guardian, greatly increasing the agency's efficiency and effectiveness. Re-organized the entire department by implementing recommendations made by an independent consulting firm. Some of the changes included training staff, developing policies and procedures on all aspects of conservatorship management, improved the banking system by changing banks, and changing the computer system to track assets and court deadlines. Improved real and personal property management by instituting new inventory and estate auction procedures. Handled all aspects of administrative functions such budgeting, increasing revenue, handling a variety of human resource issues such as hiring, disciplining and terminating employees. Handled employee grievances, participated in management-labor meetings and classification studies. Managed procurement activities that included the lease-purchase of a computer system, capital expenditures such as purchasing photocopy machines and forklift. Contracted out for certain services such as attorney services and real estate services.

Increased programs under the Public Guardian office to include: LPS investigations, Representative payee services, MIST program and collected funds for the Mental Health Department from clients placed in IMD placements. Increased Public Guardian revenue from \$86,000 to \$512,000 a year by periodically updating fees, preparing and submitting claims for SB 90 (state mandate fund), SB 910 targeted case management for conservatee's and MAA (Medi-Cal administrative claims).

Managed the following personnel: Psychiatrists, licensed clinical social workers, supervising deputy public guardians, deputy public guardians, accountant, accounting technicians and accounting clerks, office assistances, estate technicians, probate investigators and a registered nurse.

SUPERVISING DEPUTY PUBLIC GUARDIAN  
DEPUTY PUBLIC GUARDIAN I, II, III  
County of Orange, Community Service Agency

1/75 to 10/84  
Santa Ana, California

Supervised a staff of 6 deputy public guardians who conducted LPS investigations and administered estates. Provided training and monitored the work of subordinates. Conducted court investigations for LPS and Probate conservatorships. Personally managed over 600 conservatorship cases for persons who were either mentally ill or elderly. Ensured that client's medical and personal needs of food, clothing and shelter were met. Managed estates to ensure that all the assets were under the control of the Public Guardian, applied for benefits, redirected bank accounts, and controlled a variety of financial instruments such as Treasury bonds, stocks,

real property, and personal property. Personally managed an estate valued in excess of \$1 million. Closed out estates and distributed assets pursuant to wills or 13000 declarations.

**EDUCATION**

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Master of Public Administration	California State University San Bernardino, California
Southwestern School of Law Los Angeles, California	(attended one year.)
Bachelor of Arts in Political Science	University of Southern California Los Angeles, California
2009	Licensed by the California Fiduciary Bureau as a Professional Fiduciary. License number 366, Status delinquent due to retirement request. Currently Fiduciary Bureau in process of developing retirement status.
2005	Certified Public Guardian awarded by the California Association of Public Administrators, Public Guardians and Public Conservators. Originally certified from 1986 to 1998 and 2013
2003	Certificate: Specialization in Risk Management University of California, Riverside Extension Program Riverside, California

**PROFESSIONAL/AWARDS**

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Life Member	California Association of Public Administrators, Public Guardian, Public Conservator  President 1997  Chair: Standards and Certification Other committees: Executive Board, By-laws, and Legislative and Standards and Certification.
Outstanding Leadership Award	National Guardianship Association October 2018
Outstanding Service Award	California State Association of Public Administrators, Public Guardians, and Public Conservators.
Leadership Award 10/99	Tri-City Mental Health Center  Outstanding contribution to the agency.
Challenge Award 1992	CSAC (County Supervisors Association of California) Multidisciplinary team for Older Adults  Submitted application on behalf of the Riverside Multidisciplinary Team where the team coordinated services among five county agencies to



ensure the targeted older adult received coordinated health and social services.

## **OTHER ACCOMPLISHMENTS**

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Legislation	Proposed legislation to allow a waiver of confidentiality on multidisciplinary teams. Originally W&I 5328 (u), now W&I 5328.05
Board of Directors 1/2013 to 12/2018	Member, Board of Directors for the National Guardianship Association (NGA). This organization provides standards of practice to fiduciary organizations throughout the country.  Committees: Policy Committee Member 2013-2014 Committee: Standards of Practice and Agency Standards of Practice. 2013-2015. Appointed as chair 2013. Education Committee 2014-present Conducted Webinar: Marshaling Assets 10/2018 State Affairs Committee 2013-present
Author	Self Study Guide on Marshaling Assets for the NGA,
Presenter	Ethical Principles for Fiduciaries: Webinar 11/19
Presenter	National Guardianship Association Conference, Fall 2018, Palm Springs, California: <u>Public Guardian Trends.</u>
Presenter:	National Guardianship Association Conference, Fall 2017, Colorado Springs, Colorado: <u>How to Review a Court Accounting.</u> And <u>Public Guardianship Models</u>
Presenter	National Guardianship Association Conference, Fall 2012, Portland, Oregon. <u>Evaluation and Realignment of a Public Guardian Agency to Achieve National Standards.</u>
Presenter	National Guardianship Association: <u>Effective Training for Fiduciary Organizations.</u> Annual Conference, October 2009, Las Vegas Nevada
Presenter	Professional Fiduciary Association of California. Spring Conference, May 2011, Monterey, California. <u>Court Accounting Reviews</u>
Presenter	National Guardianship Association: <u>California Ethics and Standards.</u> Annual Conference, October 1994, Fort Worth, Texas
Commissioner 2010	City of Pomona, City Charter Review Commission  Appointed by the City Mayor, to review the City Charter and if necessary recommend changes to the Charter. Any recommended changes will be presented to the Pomona City voters at the November 2012 general election. Acted as the Commission's co-chair.
Chair 2002-2004	City of Pomona Community Life Commissioner  Worked with other members of the commission on issues such as neighborhood watch programs, and community resource directory.

Chair  
1995-1998

Tri-City Advisory Board

Served, as a representative on the Advisory Board providing community feedback to the Executive Director and Governing Board on the mental health needs of the community. Conducted citywide meeting to report on mental health programs to residents within the cities of Pomona, Claremont and La Verne.

Board of Directors  
1977-1984

Orange County Employee Association

Served as a Board of Director member for the labor association. Voted on issues such as proposed negotiation items, retirement compensation, health and welfare packages. Acted as grievance representative for employees filing grievances against the county.

## **REFERENCES**

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Available upon request.

**Michael J. Frattali**  
7323 Florey St, San Diego, CA 92122

mjfrattali@yahoo.com  
(858) 752-4385

Supervising Management Analyst Engineering & Capital Projects Department  
July 2015 to present

Managed the Capital Improvements Program (CIP) Reporting Team, providing critical project budget and scheduling information to Department leadership. Researched and wrote the State of the CIP Reports. Served as Chair of the Benchmarking Committee and participated in the implementation of several streamlining measures. Managed Service Level Agreements between E&CP and other City Departments. Participated in Council District CIP orientation meetings. Supervised a CIP Budget team. Developed and implemented procedures to route E&CP Requests for Mayoral Action. Coordinated Department efforts to generate CIP project budget and scheduling data. Tracked Department emergency CIP project budget and status information. Created ECP Council and Committee activity summary reports. Supervised the Budget & Support Services Section. Prepared the Department O&M budget and managed the administrative staff. Chaired interview panels for professional staff. Served on the Employee Learning, Development, and Training Committee and created the Division staff training plan.

Supervising Management Analyst General Services Department  
January 2011 to July 2015

Managed the General Services Department general fund, non-general fund and CIP budgets. Developed the Department expenditure and revenue projections. Responsible for generating and routing all General Services Council Actions. Developed and reported on City performance measures. Researched and wrote several policy and government efficiency reports for the City Council on high priority subjects. Coordinated a multi-Department effort to manage the IT, financial, policy, regulatory, and asset management aspects of the City vehicle fleet. Represented Publishing and Fleet and Labor Management Committee Meetings. Conducted sensitive fact-finding investigations for the City. Participated in Business Process Review initiatives. Served as the Business Process Coordinator for the Publishing Services SAP EAM system. Attended the Enterprise Asset Management process workshops. Participated in the development of Request for Proposals for infrastructure assessment and OneSD transition support.

Directed the procurement and implementation of a convenience copier program for the City of San Diego. This was a complex large-scale multi-Department project that involved planning and executing the replacement of every copier in the City on a fixed schedule and without service interruption. The transition was accomplished on time and under budget and resulted in the deployment of a state-of-the-art copier fleet that has saved the City \$1 million annually. Followed up the deployment with a customer service program that guaranteed all City offices received functioning equipment that met their requirements at the lowest possible cost. The program was recognized by the City Auditor for its exemplary management of the copier contract.

Supervising Management Analyst \_\_\_\_\_ Storm Water Department  
December 2008 to January 2011

Responsible for the Storm Water rate case and cost of service study. Supervised diverse 20-person section responsible for budget, payroll, MIS, personnel, administration, and special projects. Updated and administered Department Service Level Agreements. Managed the Department transition from legacy budget systems to the OneSD Finance and Public Budget Formation modules.

Supervising Management Analyst \_\_\_\_\_ Debt Management Department  
August 2006 to December 2008

Drafted budget and finance reports, reviewed and edited legal documents, oversaw due diligence, and coordinated debt-related issues. Developed databases to track and validate post issuance compliance. Worked with developer to improve custom bond management software. Directly involved in all aspects of the City's revenue and general obligation bonds. Participated in the debt issuance disclosure process. Responded to several PRA requests. Participated in ratings agency presentations.

Senior Management Analyst \_\_\_\_\_ Water Department  
July 2000 to July 2006

Program Manager for the development of the Capital Asset Management System, a database designed to calculate the long term financial requirements of maintaining the water delivery infrastructure. Wrote the RFP for consultant services, developed the data model for the asset registry, conducted an assessment of water infrastructure capital assets, designed and implemented the user acceptance test program, and planned a business process to update capital asset information. Ensured all Department rate related activity was consistent with Prop 218.

Analyst \_\_\_\_\_ San Diego Police Department  
January 1996 to June 2000

Analyzed and reported on crime statistics. Supported investigations and community policing projects. Responsible for performance-based budgeting system.

Budgeting, accounts payable, revenue projection, and purchasing for the San Diego Police Department.

Training: ARJIS, SAP, Business Objects, Excel, OnBase, CIP budget and scheduling systems, City of San Diego personnel, interview and management training.

Education: MBA with a concentration in Finance and IT, San Diego State University. Information systems course work at UCSD Extension.

Mike graduated from Reed College with a BA in Political Science. After service in the US Navy, he settled in University City neighborhood of San Diego, California. Mike has been employed by the City of San Diego since 1996 and has worked in the Police, Water, Debt Management, and Engineering & Capital Projects Departments. He has an MBA from San Diego State University with a concentration in finance. Mike is a member of the San Diego County Taxpayers Association and serves on the San Diego Community College and San Diego Unified School District ICOCs.

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# Manuel Jimenez

Sacramento, CA • 831.345.3037 • mjcstrn@gmail.com

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- Work Experience**
- Estimating Manager**, Construction Innovations, 6-27-23 – Present. Manager for estimating department for electrical manufacturer of equipment for utility scale solar facilities. Products include wiring harnesses, equipment skids, module wiring kits and all facets of wire management. Projects range in value from \$5M to \$75M. Projects require conceptual solar field design, optimization of wiring routes, efficient one-line designs servicing EPC contractors while project is in a preliminary stage.
  - Estimator**, Clark/Sullivan Construction, 3-28-2018 – 6-20-23. Lead Estimator for general contractor on \$5M – \$42M Lease Lease-Back and Design Build public works projects. Typical projects undergo pre-construction to develop budget and scope, constructability reviews, bidding out to subcontractors to develop final Guaranteed Maximum Price, verifying scope coverage for all trades (MEP, structural, Fire and Life Safety, finishes, etc.) buy-out, contract writing and coverage support for duration of project.
  - Project Manager**, Landmark Construction, Loomis CA, 6-1-2016 – 3-15-18. Performed all general duties of Project Manager in public school construction on projects ranging from \$500k to 2.5M.
  - Superintendent**, Dept. of General Services (DGS), State of California, 1/2015-2/2016. Project-based assignment for Governor’s Mansion Renovation Project consisting of \$4.1M in infrastructure and interior habitability improvements. Additionally, provided historical restoration expertise to the A&E team, Governor’s Office, and DGS Project Managers.
  - Owner/Operator**, MJ Construction, Licensed General Contractor, SF, CA, 2005-Present. Business is primarily residential additions and remodeling with projects in the \$25k to \$250k range. Responsibilities include estimating/bidding, operations, labor management and more.
  - Journeyman** carpenter and tradesman, SF Bay Area, 1999-2005. Worked on mid to high-end 1800’s to 1940’s homes.
  - Research Assistant**, Dept. of Energy at U. Mass., Amherst, MA and with the National Renewable Energy Laboratory, Golden CO, 1998.
  - Carpenter**, Paragon General Contractor, SF, CA, 1995-1997.
- Education**
- University of Massachusetts**, Graduate School of Engineering (mechanical), Fall 1998-Spring 1999, Amherst, MA. No degree.
  - Middlebury College**, Middlebury VT. Fall 1991-Spring 1995, Obtained a BA with a major in Physics.
  - The Putney School**, Putney VT. Fall 1987-Spring 1991.
- General Qualifications**
- Class B CA Contractors license, #869406. Native English speaker with Spanish as second language. Excellent computer proficiency in Sage Estimating, ConstructConnect Take-Off, Accubid, LiveCount, Word, Excel, MS Projects, Bluebeam Revu, BidMail and others. Organized and efficient time and labor management skills.
-

Excellent analytical capabilities. Clear and concise communication style. Strong leadership skills and also excellent ability to follow direction.

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# LUSTIG LAW

Susan Lustig, Esq.  
Jonathon M. Reynolds, J.D., Law Clerk  
1428 Phillips Lane, Ste. 202  
San Luis Obispo, CA 93401

Voice 805.738.6673  
Fax 805.738.5338  
Email: Susan@lustig.law

February 27, 2023

California Association of Bond Oversight Committees (CABOC)  
ATTN: Anton Jungherr  
**SENT BY ELECTRONIC MAIL ONLY**

**Re: The Application of the California Public Records Act (“CPRA”) to Email  
Addresses of Members of Citizen Bond Oversight Committees**

Dear Anton:

You have asked me to opine on whether the email addresses of individual CBOC members are subject to California Public Records Act. My answer to your question requires that I first reframe the question.

## **QUESTION PRESENTED**

It is my understanding your question is based on whether the public has the right to know the email addresses of individual CBOC members. However, the California Public Records Act pertains to the production of documents by government entities – not the production of information. As such, in order to ascertain an individual CBOC member’s email address, the focus should be on whether we can request documents that would reveal the email address as opposed to simply asking for the email address. Therefore, the question should properly be:

Is a member of the public entitled, under the CPRA, to request and receive records of email correspondence sent or received by an individual member of a CBOC?

## **BRIEF ANSWER**

My answer to that question is a conditional yes. I will explain.



ANALYSIS

Under the California Public Records Act ("CPRA"), all public records are subject to disclosure on request unless they fall within a specific exemption from disclosure. Govt. Code §§ 7922.525, 7922.530. A public record is "any writing containing information relating to the conduct of the public's business prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics," Govt. Code § 7920.530, & "writing" includes "electronic mail," Govt. Code § 7920.545.

I am not aware of a case directly on point to this situation, but generally, as the California Supreme Court has said, "The names of all public employees are viewed as public information under both state and federal law." *Commission on Peace Officer Standards & Training v. Superior Court*, 42 Cal. 4th 278, 296 (2007); *see also International Federation of Professional & Technical Engineers, Local 21, AFL-CIO v. Superior Court*, 42 Cal. 4th 319, 331 (2007) (noting "the name of every public officer and employee, as well as the amount of his salary, is a matter of public record" subject to disclosure).

As you note, state law requires the formation of a citizens' oversight committee "to inform the public concerning the expenditure of bond revenues" & "advise the public as to whether a school district or community college district is in compliance" with various legal requirements regarding certain bonds. Educ. Code § 15278(b). Although the committee members serve "without compensation" & might not be considered employees, Educ. Code § 15282(a), they serve an important public function mandated by state law & are arguably analogous to officers or employees for purposes of the CPRA, especially since they must follow the same conflict of interest rules as school board members, Educ. Code § 15282(b).

By state law, the committee's meetings & records are generally public:

All citizens' oversight committee proceedings shall be open to the public and notice to the public shall be provided in the same manner as the proceedings of the governing board of the district. The citizens' oversight committee shall issue regular reports on the results of its activities. A report shall be issued at least once a year. Minutes of the proceedings of the citizens' oversight committee and all documents received and reports issued shall be a matter of public record and be made available on an Internet Web site maintained by the governing board of the district.

Educ. Code § 15280(b). In these circumstances, the members of the committee likely have no reasonable expectation of privacy in disclosure of their names & official contact information, in the same way that school board members cannot conceal their names & official contact information from the public.

**California Association of Bond Oversight Committees**  
**February 27, 2023**

Without such a reasonable expectation of privacy, it is difficult to see how disclosure of the committee members' names & email addresses "would constitute an unwarranted invasion of personal privacy," Govt. Code § 7927.700, formerly § 6254(c), or how withholding could be justified by showing "on the facts of the particular case the public interest served by not disclosing the record clearly outweighs the public interest served by disclosure of the record," Govt. Code § 7922.000, formerly § 6255. The latter "catchall" exemption generally requires an agency "to demonstrate a clear overbalance on the side of confidentiality," which seems difficult in the absence of a legitimate privacy interest. *American Civil Liberties Union Foundation v. Superior Court*, 3 Cal. 5th 1032, 1043 (2017).

I am not aware of any law that requires members of a citizens' oversight committee to use email for committee business, but to the extent they do so & the email addresses are contained in public records, it seems likely that the names & email addresses of the committee members should be subject to public disclosure, especially given that personal emails used to conduct public business are generally public records under the CPRA. *City of San Jose v. Superior Court*, 2 Cal. 5th 608 (2017).

Govt. Code § 7928.300, formerly § 6253.4, provides, in relevant part, "Unless used by the employee to conduct public business, or necessary to identify a person in an otherwise disclosable communication, the personal email addresses of all employees of a public agency shall not be deemed to be public records and shall not be open to public inspection." While that section might justify withholding personal email addresses of officials, employees, or committee members not used for public business, it probably cannot justify withholding personal email addresses used for public business. If committee members do not wish to have their personal email addresses disclosed & they are not provided with official email addresses by the relevant agency, they are free to establish separate email accounts for personal & public business.

**ANSWER**

Based upon the above analysis, a member of the public is entitled to request records of email correspondence sent from a private email address of an individual CBOC member or sent to a private email address of an individual CBOC member so long as the content of the record requested shares a nexus with the individual CBOC member's duty "to inform the public concerning the expenditure of bond revenues" and "advise the public as to whether a school district or community college district is in compliance." For example, an individual CBOC member's email to his grandson inquiring about the football season would not be subject to the CPRA; but an email from the individual CBOC member to the District's treasurer/CFO requesting information about project financing would be subject to the CPRA.

Sincerely,



Susan Lustig, Esq.  
SL/jr

Subject: **Fwd: New Legal Hotline Question - CBOC Members' Names and Email Addresses**

Date: 2/18/2023 5:42:55 PM Pacific Standard Time

From: [ajungherr@aol.com](mailto:ajungherr@aol.com)

To: [susan@lustig.law](mailto:susan@lustig.law), [jonathon@lustig.law](mailto:jonathon@lustig.law)

Cc: [ajungherr@aol.com](mailto:ajungherr@aol.com), [ccarolynwin@aol.com](mailto:ccarolynwin@aol.com), [denise.caboc@gmail.com](mailto:denise.caboc@gmail.com), [jehunter51@msn.com](mailto:jehunter51@msn.com), [mcprose@att.net](mailto:mcprose@att.net), [stephen.petzold@gmail.com](mailto:stephen.petzold@gmail.com), [tarubin@earthlink.net](mailto:tarubin@earthlink.net)

See the First Amendment Coalition's email below on this matter.

Can you give me a legal opinion on this matter?

We would use your opinion to "persuade" districts that it would be in their best interest to provide CBOC members' names and email addresses to us.

Could CABOC file a lawsuit against multi districts on this matter?

Where would CABOC file a lawsuit on this matter?

### **Anton Jungherr**

California Association of Bond Oversight Committees

Co-Founder & Executive Director

[jungherr@aol.com](mailto:jungherr@aol.com)

510.697.7212 cell

[www.bondoversight.org](http://www.bondoversight.org)

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From: [dloy@firstamendmentcoalition.org](mailto:dloy@firstamendmentcoalition.org)

To: [ajungherr@aol.com](mailto:ajungherr@aol.com)

Cc: [hotline@firstamendmentcoalition.org](mailto:hotline@firstamendmentcoalition.org)

Sent: 2/18/2023 4:14:49 PM Pacific Standard Time

Subject: Re: New Legal Hotline Question

Thank you for writing to FAC. I can share some general information but not any specific legal advice; this email does not form an attorney-client relationship.

Under the California Public Records Act ("CPRA"), all public records are subject to disclosure on request unless they fall within a specific exemption from disclosure. Govt. Code §§ 7922.525, 7922.530. A public record is "any writing containing information relating to the conduct of the public's business prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics," Govt. Code § 7920.530, & "writing" includes "electronic mail," Govt. Code § 7920.545.

I am not aware of a case directly on point to this situation, but generally, as the California Supreme Court has said, "The names of all public employees are viewed as public information under both state and federal law." *Commission on Peace Officer Standards & Training v. Superior Court*, 42 Cal. 4th 278, 296 (2007); see also *International Federation of Professional & Technical Engineers, Local 21, AFL-CIO v. Superior Court*, 42 Cal. 4th 319, 331 (2007) (noting "the name of every public officer and employee, as well as the amount of his salary, is a matter of public record" subject to disclosure).

As you note, state law requires the formation of a citizens' oversight committee "to inform the public concerning the expenditure of bond revenues" & "advise the public as to whether a school district or community college district is in compliance" with various legal requirements regarding certain bonds. Educ. Code § 15278(b). Although the committee members serve "without compensation" & might not be considered employees, Educ. Code § 15282(a), they serve an important public function mandated by state law & are arguably analogous to officers or employees for purposes of the CPRA, especially since they must follow the same conflict of interest rules as school board members, Educ. Code § 15282(b).

By state law, the committee's meetings & records are generally public:

All citizens' oversight committee proceedings shall be open to the public and notice to the public shall be provided in the same manner as the proceedings of the governing board of the district. The citizens' oversight committee shall issue regular reports on the results of its activities. A report shall be issued at least once a year. Minutes of the proceedings of the citizens' oversight committee and all documents received and reports issued shall be a matter of public record and be made available on an Internet Web site maintained by the governing board of the district.

Educ. Code § 15280(b). In these circumstances, the members of the committee likely have no reasonable expectation of privacy in disclosure of their names & official contact information, in the same way that school board members cannot conceal their names & official contact information from the public.

Without such a reasonable expectation of privacy, it is difficult to see how disclosure of the committee members' names & email addresses "would constitute an unwarranted invasion of personal privacy," Govt. Code § 7927.700, formerly § 6254(c), or how withholding could be justified by showing "on the facts of the particular case the public interest served by not disclosing the record clearly outweighs the public interest served by disclosure of the record," Govt. Code § 7922.000, formerly § 6255. The latter "catchall" exemption generally requires an agency "to demonstrate a clear overbalance on the side of confidentiality," which seems difficult in the absence of a legitimate privacy interest. *American Civil Liberties Union Foundation v. Superior Court*, 3 Cal. 5th 1032, 1043 (2017).

I am not aware of any law that requires members of a citizens' oversight committee to use email for committee business, but to the extent they do so & the email addresses are contained in public records, it seems likely that the names & email addresses of the committee members should be subject to public disclosure, especially given that personal emails used to conduct public business are generally public records under the CPRA. *City of San Jose v. Superior Court*, 2 Cal. 5th 608 (2017).

Govt. Code § 7928.300, formerly § 6253.4, provides, in relevant part, "Unless used by the employee to conduct public business, or necessary to identify a person in an otherwise disclosable communication, the personal email addresses of all employees of a public agency shall not be deemed to be public records and shall not be open to public inspection." While that section might justify withholding personal email addresses of officials, employees, or committee members not used for public business, it probably cannot justify withholding personal email addresses used for public business. If committee members do not wish to have their personal email addresses disclosed & they are not provided with official email addresses by the relevant agency, they are free to establish separate email accounts for personal & public business.

I hope this information is helpful.

Best,  
David

dloy@firstamendmentcoalition.org | O: 415-460-5060

firstamendmentcoalition.org | @FACoalition |

FREE LEGAL HOTLINE | SUBSCRIBE

On Wed, Feb 8, 2023 at 5:45 PM Legal Hotline <hotline@firstamendmentcoalition.org> wrote:  
ajungherr@aol.com

Anton

Jungherr

121 Ash CT

Hercules

2/8/2023 17:42:24>CA

94547

California Association of Bond Oversight Committees

CBOC Names and Email Addresses

I am the Co-Founder & Executive Director of the California Association of Bond Oversight Committees. Our mission is to train and support 3,800 citizen volunteers members of 540 Proposition 39 K-14 Citizens' Bond Oversight Committees (CBOC) who oversee school construction. We are using CPRA requests to obtain the names and email addresses of CBOC members. I have reviewed your FAQ, "Are Citizens Bond Oversight Committee Applications Public Records?" (May 15, 2020) Your answer indicated Cal. Gov. Code Section 6254(c) "might apply." My question: Are Citizens' Bond Oversight Committee names and email addresses public records? In addition to 6254(c), various attorneys have cited these code sections: (code references before January 1, 2023) 6254.3(b)(1) employee email addresses are exempt. CBOC members are not employees; they are volunteers. 6255(a) "...the public interest served by not disclosing..." Regarding CBOCs, each successful Proposition 39 local bond election requires the appointment of an independent CBOC "... to inform the public concerning the expenditure of bond revenues." Education Code Section 15278(b). The CBOC shall advise the public whether districts comply with the California Constitution's requirements. The Legislature intends that CBOC members "... promptly alert the public to any waste or improper expenditure of school construction bond money." (Education Code Section 15264(c). I would argue that there is a public need for CBOC members to have a publicly available email address, either a private address or one on the district's domain, so that the public can communicate with CBOC members.

Subject: **Prop 39 Question**

Date: 3/29/2023 1:59:35 PM Pacific Standard Time

From: jonathon@lustig.law

To: ajungherr@aol.com

The question as written:

“Can a Proposition 39 independent citizens' oversight committee established by a school district or community college district governing board under Education Code § 15278(a) approves its bylaws?”

My proposed language:

“Does a school district or community college have district authority to dictate, approve, or veto by-laws proposed for adoption by the district's corresponding CBOC, within the meaning of Education Code § 15278?”

“Does a CBOC, within the meaning of Education Code § 15278, have the right to create and adopt by-laws establishing a framework for the CBOC's operations?”

My personal opinion: No to my first proposed question, yes to my second proposed question.

Education Code § 15264 provides the legislative intent. “Vigorous efforts are undertaken to ensure . . . strict conformity with the law.” It further states “The members of the oversight committees appointed pursuant to this chapter promptly alert the public to any waste or improper expenditure . . .”

Education Code § 15282(b) states: “An employee or official of the school district or community college district **shall not be appointed to the citizen's oversight committee. . . .**”

Education Code § 15278 provides that “Oversight committees are expressly permitted to engage in a number of review and inspection activities, including review of school districts' efforts ‘to maximize bond revenues by implementing cost-saving measures, specifically including mechanisms designed to reduce the cost of professional fees.’”

The legislative intent is clear. The efforts to ensure bond proceeds are spent correctly must be **vigorous** and there must be **strict conformity**. The CBOC is charged with reporting to the public its findings. The legislature intentionally prohibited a member of the school district or community college district from serving on the CBOC. The prohibition of a district member serving on the CBOC, in conjunction with the language that the efforts must be **vigorous** and the intent is **strict conformity**, compel the conclusion that the legislature's intent was to prevent the district from interfering with CBOC activities, and in fact, the legislature's intent is that the district is to affirmatively assist the CBOC in performing its duties. Further, the legislature created a statutory mechanism for CBOCs to create their own by-laws. CBOCs are specifically permitted to engage in activities including the development of “mechanisms designed to reduce the cost of professional fees.” By-laws and standard operating procedures **are a mechanism designed to reduce the cost of professional fees**. Consider this, in the absence of by-laws, once a CBOC term ends, and new members join, those new members will need to consult with a professional accountant to determine how to best perform their function. The existence of by-laws may mitigate the need for future CBOCs to consult with professionals to figure out how to perform their function.

**Jonathon Reynolds, J.D.**

Law Clerk to Susan Lustig

Lustig Law

1428 Phillips Lane, Ste. 202

San Luis Obispo, CA 93401

805.738.6673

THIS ELECTRONIC COMMUNICATION IS PRIVILEGED AND CONFIDENTIAL. IMPORTANT NOTICE TO EMAIL RECIPIENTS: DO NOT read, copy, or disseminate this communication unless you are the intended



State of California  
Office of the Attorney General

ROB BONTA

August 2022

## GUIDELINES REGARDING ATTORNEY GENERAL OPINIONS UNDER GOVERNMENT CODE SECTION 12519

Government Code section 12519 provides that the Attorney General shall issue written opinions on questions of law to specified public officials and agencies:

“The Attorney General shall give the Attorney General’s opinion in writing to any Member of the Legislature, the Governor, Lieutenant Governor, Secretary of State, Controller, Treasurer, State Lands Commission, Superintendent of Public Instruction, Insurance Commissioner, any state agency, and any county counsel, district attorney, or sheriff when requested, upon any question of law relating to their respective offices.

“The Attorney General shall give the Attorney General’s opinion in writing to a city prosecuting attorney when requested, upon any question of law relating to criminal matters.”

### RECIPIENTS

Section 12519 directs the Attorney General to provide opinions only to the public officials and agencies listed in the statute, and not to private individuals or to public officials who are not listed in the statute. In particular, section 12519 authorizes the following public officials and agencies to request Attorney General opinions:

- **Constitutional Officers.** The Attorney General may provide an opinion to any state constitutional officer: the Governor, Lieutenant Governor, Secretary of State, Controller, Treasurer, State Lands Commissioner, Superintendent of Public Instruction, and Insurance Commissioner.
- **Legislators.** The Attorney General may provide an opinion to “any Member of the Legislature.” This refers to the State Senate and the State Assembly, but not to local legislative bodies such as city councils or county boards of supervisors. Requests may be made by individual state legislators, but not by legislative committees or consultants.

- **State Agencies.** The Attorney General may provide an opinion to “any state agency.” The Attorney General interprets this as permitting opinions to be provided to state-level departments, agencies, boards, and commissions. This does not include local agencies, even though the local agency has been organized under state statutes. A request by a state agency or department should be made by or on behalf of the head of the state agency or department, not by individual employees of the agency. A request by a state board or commission must be authorized by a majority vote of the board or commission.

The California Supreme Court and Court of Appeal are state agencies authorized to request opinions. Requests should come from the Judicial Council, the Chief Justice, or a presiding justice of the Court of Appeal.

- **County Counsel, District Attorneys, and Sheriffs.** The Attorney General may issue an opinion to “any county counsel, district attorney, or sheriff.” The request should be made by the elected or appointed district attorney, county counsel, or sheriff, not by individual deputies or employees.
- **City Prosecuting Attorneys.** The Attorney General may issue an opinion to “a city prosecuting attorney when requested, upon any question of law relating to criminal matters.” Opinions may not be given to city attorneys who do not prosecute criminal cases. Whether or not a city attorney prosecutes criminal cases, an opinion may not be given to a city attorney on a question of civil law.

## QUESTIONS PRESENTED

The Government Code imposes certain textual limitations on the Attorney General’s responsibility to issue opinions under section 12519: First, a designated officer or agency must “request[.]” the opinion. Second, the request must present a “question of law.” And third, the question of law must “relat[e] to” the requestor’s “office[.]” (For City prosecuting attorneys only, the question of law must relate to “criminal matters.”) The Attorney General declines requests under section 12519 that do not satisfy these three statutory criteria. For example, the Attorney General declines opinion requests that seek factual or policy determinations instead of conclusions of law.

Over the decades, Attorneys General have identified additional circumstances where prudential considerations may counsel against issuing an opinion under section 12519. For example, the Attorney General will generally decline a request to issue an opinion under section 12519 if it implicates one or more of the following circumstances:

1. **Local Laws.** The Attorney General declines requests for opinions that exclusively call for interpretation of local laws such as charters or ordinances. Responsibility for interpreting and enforcing local laws rests with local government lawyers. However, requests that present interrelated questions of local and state law, such as questions of state preemption, may be an appropriate subject for an opinion.
2. **Pending Legislation.** The Attorney General declines opinion requests regarding the validity or interpretation of legislation prior to its enactment. Responsibility for providing opinions on pending bills rests with the Office of Legislative Counsel.



3. **Litigation.** The Attorney General declines opinion requests presenting legal questions that are pending in a judicial or administrative proceeding in which the Attorney General is participating. In such cases, the legal briefs filed by the Attorney General present the Attorney General's views on the legal questions at issue. At times, the Attorney General may also abstain from issuing an opinion on a legal question pending in other judicial proceedings in which a court is expected to issue a decision resolving that question in the near future.
4. **Conflicts of Interest under the Political Reform Act.** Questions arising under the Political Reform Act of 1974 (California Government Code §§ 81000-91015) concerning conflicts of interest should be ordinarily directed to the Fair Political Practices Commission, which administers the Act. A public official may rely on the Commission's opinion as a defense in enforcement actions regarding the requirements of the Political Reform Act.
5. **Conflict of Interest for the California Department of Justice.** Occasionally, the Attorney General declines a request because it presents a conflict of interest with respect to other legal matters with which the Department of Justice may be involved.

## PROCESS

**Contents of Request.** An opinion request should be submitted in writing and signed by the public official or head of the agency authorized to make the request. Requests may be submitted by email or in hard copy.

The request should set out the question to be answered as clearly as possible, along with enough description of the background and context of the question to allow a precise legal analysis to be prepared.

Any request that is made by a department or officer that employs legal counsel must be accompanied by a legal analysis prepared by the department or officer's legal counsel. Requests from a sheriff must be accompanied by the legal analysis of the district attorney or county counsel.

The Opinion Unit may contact the requestor for additional background information, or to discuss whether revisions to the question are desirable.

**Comments by Interested Persons.** After an opinion request has been accepted, the question presented is added to the Attorney General's Monthly Opinion Report, which lists all of the questions currently under consideration for formal opinions under Government Code section 12519. This report, which is posted on the Attorney General's website and circulated publicly, invites any interested person to submit comments on the issues under consideration.

The Attorney General's Opinion Unit makes additional efforts to identify specific persons or entities who may have knowledge of the issues presented in a request, but we realize that we cannot expect to reach everyone, and we encourage all those with an interest to make themselves and their views known to us. All comments submitted before a draft is prepared will be considered, but early comments are strongly preferred.

**Drafting and Internal Review.** The Deputy Attorney General assigned to the matter is primarily responsible for researching the question and drafting the opinion.

After a draft opinion has been prepared, it is circulated internally within the Department of Justice for extensive review and revision. This process is crucial to ensuring the quality and value of a written opinion. Due to many variables, it is often not possible to accurately predict when a particular opinion will be issued, but we endeavor to respond to every request promptly. Proposed analyses and conclusions of pending opinions are not discussed outside of the Department of Justice.

The question or questions presented in an opinion request may be revised for clarity during the drafting and review process.

**Publication.** Once the Attorney General has formally approved an opinion, the Opinion Unit provides the opinion first to the requestor, and then to the public. Published opinions are available on the Attorney General's website, through online legal research services, and in law libraries.

**Public Information.** All written requests for Attorney General opinions under Government Code section 12519, as well as all written views submitted on questions under consideration, are public documents and may be disclosed to third parties under the Public Records Act.

**LAUSD SCHOOL CONSTRUCTION BOND  
CITIZENS' OVERSIGHT COMMITTEE**

**CHARTER AND  
MEMORANDUM OF UNDERSTANDING**

PAGE 8 ONLY

**LAUSD SCHOOL CONSTRUCTION BOND  
CITIZENS' OVERSIGHT COMMITTEE  
CHARTER AND MEMORANDUM OF UNDERSTANDING**

<b>1.</b>	<b>The Purpose of this Document</b> .....	<b>1</b>
<b>2.</b>	<b>The Mission and Purpose of the Committee</b> .....	<b>1</b>
<b>3.</b>	<b>Committee Membership</b> .....	<b>1</b>
<b>4.</b>	<b>Committee Governance</b> .....	<b>4</b>
<b>5.</b>	<b>Committee Reports</b> .....	<b>5</b>
<b>6.</b>	<b>Commitment to the Committee</b> .....	<b>5</b>
<b>7.</b>	<b>Access to Information</b> .....	<b>7</b>
<b>8.</b>	<b>Logistical Support from the District</b> .....	<b>9</b>
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<b>10.</b>	<b>Protocols with the Office of the Inspector General</b> .....	<b>11</b>

**LAUSD School Construction Bond Citizens' Oversight Committee  
Charter And Memorandum Of Understanding**

---

6.4.1 The District agrees that responsibility within the District for implementation of the construction and modernization program funded by the bonds shall be vested in the Facilities Services Division, which shall be headed by a Chief Facilities Executive who shall report directly to the Superintendent, and that responsibility for the implementation of other bond funded programs not executed by FSD (such as Information Technology Division [ITD] and Transportation) shall reside with skilled personnel that are the respective Division Leaders.

6.4.2 Managers of the Facilities Services Division (FSD) shall have educational and employment experience comparable to that of persons with similar responsibility in the private sector. To ensure that the District employs managers of the Division who are so qualified, and because the required qualifications and responsibilities of the Managers of the Division are unique relative to those of other District classified positions, the Board shall, subject to the merit system provisions of the Education Code, no less than biennially, cause a survey of compensation of managers of major construction programs and managers of major public and private facilities in comparable locations across the United States in both the public and private sector, and the Board shall make a finding that the managers of the District's Facilities Services Division are being compensated accordingly at a level that will be competitive in the marketplace and thereby better ensure that the District will be able to continue to hire and retain highly qualified and experienced individuals to manage the bond-funded school construction and modernization program.

6.4.3. The District shall provide the FSD with dedicated procurement, accounting, legal, information-technology, personnel, and other support services sufficient for implementation of the construction and modernization program funded by bond proceeds.

XX

6.5 Subject to the availability of adequate resources from the District, the Committee will provide the District with independent oversight reports and evaluations by the Oversight Consultant, under the direction of the Committee. The Committee will report its findings and recommendations to the District and the public.

6.6 In order to ensure the independence and effectiveness of the Committee, the District shall commission an unbiased, competent and independent review of the Committee's processes, including its utilization of staff, consultants, and counsel within five (5) years of the adoption of this MOU and within every five years thereafter. The scope of the review shall be based on applicable statutory requirements and the provisions of the MOU.

6.7 The District and the Committee agree that to ensure oversight by the Committee continues to be as effective as possible, the efficacy of this Charter and Memorandum of Understanding will be evaluated on a periodic basis and a formal review will be jointly conducted by the District and the Committee within five (5) years of the adoption of this Charter and Memorandum of Understanding and within every five years

May 25, 2016

## LEGAL SERVICES AGREEMENT

This Legal Services Agreement ("the Agreement") is made between the Law Office of Adam S. Ferber ("Law Office") and the West Contra Costa Unified School District ("the District").

### RECITALS

- A. On or about March 24, 2015 Ferber and the District (together, "the Parties") entered into a Legal Services Agreement ("the Prior Agreement").
- B. The Parties wish to terminate the Prior Agreement and replace it with this Agreement.
- C. The Parties hereby agree that as of the date that this Agreement is fully executed the Prior Agreement shall terminate.

### AGREEMENT

1. Adam S. Ferber of Law Office shall provide legal services as requested by the District's Citizens' Bond Oversight Committee ("the Committee") and shall do so in conformity with all applicable law and regulation.

Said services shall be limited to general legal advice, whether provided in person, verbally or in writing. Said services shall not include representation in connection with any contested legal matter, regardless of whether such matter involves litigation in any court, or mediation or arbitration before a neutral.

The Committee shall be Law Office's client. Law Office shall not provide legal representation to the District.

2. Law Office will perform the legal services called for under this Agreement, keep the Committee informed of progress and developments, and respond promptly to the Committee's inquiries and communications. The Committee will be truthful and cooperative with Law Office and keep Law Office reasonably informed of developments.

3. The District will pay Law Office for attorney's fees for the legal services provided under this Agreement at the rate of Two Hundred Ten Dollars (\$210.00) per hour. The minimum time charged for the first activity on any particular day will be two tenths of an hour; thereafter Law Office will charge in increments of one tenth of an hour, rounded off for each particular activity to the nearest one tenth of an hour. This rate shall remain the same until at least December 31, 2016.

If, thereafter, while this Agreement is in effect, Law Office increases the hourly rates being charged to the District generally for attorney's fees, that increase may be applied to fees incurred under this Agreement, but only with respect to services provided 30 days or

more after written notice of the increase is transmitted to the District. If the District chooses not to consent to the increased rates, the District may terminate Law Office's services under this Agreement by written notice effective when received by Law Office, provided the Committee and the District each executes and returns a substitution-of-attorney form immediately on its receipt from Law Office if Law Office is the Committee' attorney of record in any proceeding.

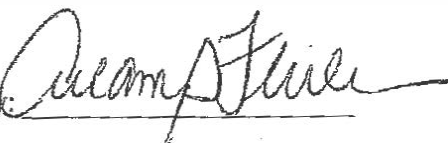
4. Law Office will send the Committee and the District monthly statements indicating attorney's fees and their basis, and any current balance owed. If no attorney's fees are incurred for a particular month, or if they are minimal, the statement may be held and combined with that for the following month. The District shall pay any balance in full within 30 days after the statement is mailed.

This Agreement shall become effective as of the date it is signed by the District.

The foregoing is agreed to by:

Law Office of Adam S. Ferber

Date: 07/25, 2016

By: 

Adam S. Ferber

West Contra Costa Unified School District

Date: 5/27, 2016

By: 

Law Office of  
**Adam S. Ferber**  
[www.ferberlawoffice.com](http://www.ferberlawoffice.com)  
1180 Brown Ave, Suite 100  
Lafayette, CA 94549  
(510) 508-2500  
[adam.ferber@yahoo.com](mailto:adam.ferber@yahoo.com)

## Memorandum

The information in this document is confidential  
and protected by attorney-client and attorney work product privileges.

**TO:** Don Gosney  
Chair – WCCUSD Citizens' Bond Oversight Committee

**FROM:** Adam S. Ferber

**SUBJECT:** Intent of Proposition 39 With Regard to Bond Program

**DATE:** March 8, 2019

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In a letter dated March 2, 2019, which I received on March 5, 2019, you asked for my opinion concerning how, in general, California courts would likely interpret the purview of a Citizens Bond Oversight Committee in light of Proposition 39, the 2001 ballot measure which amended California Constitution Section 1 of Article XIII A, and Section 13 of Article XVI.

The precise interpretation by a court of any Constitutional or statutory language would depend primarily on the specific facts of the matter in front of it. However, in my opinion, in general, a court would likely construe that purview liberally.

### Discussion

The principal impact of Proposition 39 was to lower the threshold required to pass California local school district bond measures from a two-thirds super majority vote to a 55% super majority vote, subject to certain oversight and accountability requirements.<sup>1</sup> These oversight and

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<sup>1</sup> In the interest of economy, this memorandum is brief. For a fuller discussion of the purview of the CBOC, I refer you to pertinent portions of my September 16, 2015 opinion letter to Ms. Ivette Rico, then CBOC Chair. A copy of that letter is transmitted electronically along with this memorandum.



accountability requirements ultimately included the creation, by the enactment of Education Section 15278, of a Citizens Bond Oversight Committee (“CBOC”) upon the first successful passage of a school district bond measure pursuant to Proposition 39.

The ultimately prevailing proponents of Proposition 39 stated the following in their arguments in support of the measure:

Passing Prop. 39 will:

Hold Administrators accountable for spending school bond construction money:

- Prohibit using funds for administration or bureaucracy.
- Require school administrators to produce a detailed list of specific school construction and repair projects to be funded.
- Require schools to undergo two rigid, independent financial and performance audits every year.
- Require bonds to be passed by a tough 55% supermajority vote.

This initiative helps fix classroom overcrowding and provides much needed repairs of unsafe and outdated schools. It mandates the strictest accountability requirements to ensure that bond funds are spent only on schools and classrooms, protecting taxpayers. (Emphasis supplied)

It therefore appears that the drafters of the Measure, and the voters who passed it, understood and expected that the accountability measures provided for were to be of the strictest kind. Conversely, especially in light of the expansion of taxing authority accorded to school districts, it appears that the drafters wished to avoid the “evil” of less than the strictest accountability requirements including any possible obfuscation or concealment, however inadvertent. It can be fairly inferred that citizen oversight to enforce accountability measures would be liberally construed.

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In my opinion, among, and subject to, other factors, the forgoing ballot arguments would likely exert a general influence over a court to construe liberally the purview of a CBOC.

I hope this information is helpful. As always, please free to contact me with any additional questions or concerns.

## 2017 Recommendations for Local Bond Oversight

In its update of its 2009 bond oversight study, the Commission heard testimony and recommendations focusing both on improving the bond issuance process and improving local oversight, particularly in bolstering the effectiveness of local Citizens' Bond Oversight Committees as previously recommended by the Commission. Based on the testimony and written comments received, the Commission expands on and refines its prior recommendations for improving local bond oversight.

**Recommendation 3: The California Debt and Investment Advisory Committee is encouraged to expedite the development of training materials for locally-elected officials on bond issuance.** Specifically, in addition to webinars, online training and other written materials, this should include a one- or two-page guide for local officials including key questions that should be answered by staff and consultants on the terms of any bond authorization, including total cost of the bond, including interest and fees and the effect of a bond issuance on debt ratio.

**Recommendation 4: Policymakers should enact legislation requiring a truth in bonding statement be provided for review by elected officials prior to authorizing a bond issuance.**

**Recommendation 5: Policymakers should enact legislation requiring the county treasurer to review and comment on bond issuance proposals prior to authorization. The county treasurer also should advise policymakers on maintaining a prudent debt ratio.**

**Recommendation 6: Develop easy-to-access online training materials for members of Citizens' Bond Oversight Committees.** Specifically, the Governor and Legislature should direct and authorize one-time funding to the Fiscal Crisis and Management Assistance Team to develop online training for local Citizens' Bond Oversight Committee members, with input and assistance from the California Debt and Investment Advisory Committee and the California League of Bond Oversight Committees.

**Recommendation 7: The Governor and Legislature should update and overhaul the education code related to the Strict Accountability in Local School Construction Bonds Act of 2000.** Specifically,

- Amend statutory code on performance audits to include the effectiveness and results of the bond program.
  - Expand the role of Citizens' Bond Oversight Committees in selecting and interacting with bond program auditors.
  - Require bond measures proposed to voters under the reduced threshold to include specific project lists.
  - Change the appointment authority for members of Citizens' Bond Oversight Committees.
- Require districts to provide a minimal budget for the oversight committees, including a budget to hire independent counsel with municipal bond expertise.
- Require districts to provide a Web presence for Citizens' Bond Oversight Committees to prominently display meeting agendas and reports.

**Recommendation 8: Impose sanctions for school and community college districts that fail to adhere to constitutional and statutory requirements of Proposition 39, including preventing the district from adopting future bond measures under the reduced voter threshold.**

Bryan Scott  
1300 Crescent Drive  
Brentwood, CA 94513

May \_\_, 2023

Anton Jungherr, Executive Director  
California Association of Bond Oversight Committees  
121 Ash Court  
Hercules, CA 94547

Dear Anton,

This letter describes the business relationship between the California Association of Bond Oversight Committees (“CABOC”) and Bryan Scott (“Scott”). CABOC is a statewide incorporated association of persons experienced in local school construction bond program oversight, and Scott has created “Becoming an Effective Watchdog,” a copyrighted work on the same subject.

It is the joint goal of both parties to place a copy of “Becoming an Effective Watchdog” in the hands of every Citizens’ Oversight Committee member in California, as well as all other interested parties, such as all members of school boards, certain school district administrators, certain audit firms, and interested members of the public.

Scott agrees to provide CABOC with information, necessary files, printing procedures and non-exclusive license rights so that copies of “Becoming an Effective Watchdog” may be produced with minimal administrative effort.

CABOC agrees to receive orders for “Becoming an Effective Watchdog” purchases along with necessary payments. CABOC agrees to process the purchase transactions, using information provided by the purchaser for fulfillment purposes. Pricing details incorporated into this agreement are listed in Appendix A.

CABOC agrees to a Royalty payment of forty dollars and no cents (\$40.00) per book to Scott. Royalty payments for each month’s total sales receipts are due and payable within thirty (30) days following each month’s receipt of payments, (net-30). Right to audit CABOC recordkeeping reserved to each party. The unit price and royalty for each book is incorporated into this agreement as listed in Appendix A.

While CABOC is free to use any printing firm of its choosing, Scott provides his recent experience with Mixam Inc., 1515 East Woodfield Road, Suite 342, Schaumburg, Illinois, 60173, ( <https://mixam.com/> ), and said experience description is incorporated into this agreement as Appendix B.

The CABOC-distributed edition of “Becoming an Effective Watchdog” will receive approval of both parties. The parties also agree to include 1) a CABOC endorsement page, 2) an “About CABOC” section, and 3) an order form for additional purchases.

The parties agree that a digital version of “Becoming an Effective Watchdog” will be discussed at a future time. Key elements of this discussion will be the mechanics of distribution, security and pricing.

As an additional inducement to CABOC to enter into this agreement Scott agrees to provide up to ten (10) hours per-month of editing, education and training development services to CABOC, without compensation, for renewable periods of 12 months. Hours in excess of 10 hours per month will be invoiced at \$75.00 per hour.

Modifications to the terms of this agreement may only be made in writing, signed by both parties. This agreement may be terminated at any time by either party with 30 days written notice to the other party. Upon termination CABOC will cease using the information, files and printing procedures provided by Scott for order fulfillment, and will send all earned Royalties to Scott within thirty days of termination.

As evidence indicating acceptance of these terms, the parties sign below.

---

Bryan Scott / Date

---

Signature / Date  
Anton Jungherr, Executive Director, on behalf of  
California Association of Bond Oversight Committees

## Appendix A

<b>Description</b>	<b>1-4 Books</b>	<b>5 + Books</b>
<b>Order Fulfillment</b>		
Who receives order from customer	CABOC	CABOC
Who bills and collects money from customer	CABOC	CABOC
Who sends book to customer	CABOC	Mixam (Printer)
 <b>Customer Price per Book</b>		
Book	50.00	50.00
Shipping and handling (Mixam ships from Chicago area)	10.00	varies
California sales tax (9.5% Hercules, CA)	4.63	4.63
Total	64.63	varies
 <b>Allocation of Sales Price per Book</b>		
Scott royalty	40.00	40.00
CABOC	10.00	10.00
Total Price	50.00	50.00
 <b>Scott Net Income per Book</b>		
Royalty	40.00	40.00
Net Royalty to Scott	40.00	40.00
 <b>CABOC Net Income/Book *</b>		
CABOC	10.00	10.00
Less: printing Mixam (est.)	-4.00	-4.00
Net Income CABOC	6.00	6.00

\*Does not consider time to process order (volunteer or paid, which will be minimal)

**Value of Scott's contributed consulting volunteer time per month, for information only:**  
Hours per month: 10 x \$75 per hour = \$750/month or \$9,000 per year.

## Appendix B

Printing transaction experience with Mixam Inc.

<b>Date</b>	<b># Copies</b>	<b>Per-copy Cost</b>	<b>Total Cost</b>	<b>Days Conf-to-Arr*</b>
8-11-2022	12	\$3.88	\$46.50	12
8-18-2022	1	\$10.00	\$10.00	14
10-4-2022	6	\$3.75	\$22.50	11
10-25-2022	15	\$3.60	\$54.00	10
12-11-2022	7	\$3.79	\$26.50	11

\*- Calendar days from the date of online order confirmation to the date of arrival in Brentwood, California. This total includes production time and shipping via UPS Ground, the least expensive shipping method offered.

**BYLAWS XXXXXX DISTRICT****MEASURE XX CITIZENS' BOND OVERSIGHT COMMITTEE****1. Purpose of Bylaws**

The (full name of CBOC) (the "Committee") hereby adopts these Bylaws to articulate the role, duties, and purpose of the Committee, its place in the organization of the district, its relationship with the district, and the need for the district to provide the Committee with the resources, support, and cooperation required to accomplish its mission.

**2. Mission and Purpose**

2.1 The vision of the Committee is to ensure that the district builds, modernizes, and maintains schools that promote the full development of the student; are educationally and environmentally sound; provide for the safety and protection of students, district faculty and staff, neighbors, and visitors; and reflect the wise and efficient use of limited land and public resources consistent with the requirements of the California Constitution, statutes, and other applicable laws and regulations.

2.2 California Education Code §15278(b) states, "The purpose of the citizens' oversight committee shall be to inform the public concerning the expenditure of bond revenues. The citizens' oversight committee shall actively review and report on the proper expenditure of taxpayers' money for school construction. The citizens' oversight committee shall advise the public as to whether a school district or community college district complies with the requirements of paragraph (3) of subdivision (b) of Section 1 of Article XIII A of the California Constitution."

2.3 California Constitution, Article XXX A, Section 1. (b)(3), defines the allowed uses of "Proposition 13" school construction bond funds as "the construction, reconstruction, rehabilitation, or replacement of school facilities, including the furnishing and equipping of school facilities, or the acquisition or lease of real property for school facilities."

**3. Membership**

3.1. The Committee's membership shall be determined by the district consistent with Education Code §15282(a).

3.2. Members are expected to attend all meetings. If a member without a good reason acceptable to the Committee fails to attend either (a) two or more consecutive



34 meetings or (b) three or more meetings in a year, then the Committee shall  
35 define the member as inactive.

#### 36 **4. Committee Governance**

37 4.1. The Committee shall meet monthly or as the Committee shall deem necessary  
38 to conduct its business. All Committee proceedings shall be open to the public  
39 except as required to consider legally privileged matters consistent with State  
40 law. Notice to the public shall be provided in the same manner as the  
41 proceedings of the Board, California Open Meeting Act (known as the Brown  
42 Act).

43 4.2 Robert's Rules of Order latest version shall govern the parliamentary  
44 procedures, including removing Committee Officers.

45 4.3 The Committee shall post the date and time of future meetings on its website at  
46 least 12 months in advance. The Committee is free to schedule additional  
47 meetings as needed.

48 4.4 The draft minutes of a meeting shall be posted and distributed to each CBOC  
49 member within two weeks after the meeting date.

50 4.5 District governing board members, staff, and external advisors attending CBOC  
51 meetings shall be identified by nameplate or nametags.

52 4.6 A majority of the Committee then serving, excluding inactive members  
53 designated by the Committee for lack of attendance, shall constitute a quorum  
54 at meetings.

#### 55 **5. Committee Reports**

56 5.1 The Committee shall issue regular reports on the results of its activities.  
57 Minutes of the Committee's proceedings and all documents received and reports  
58 issued shall be a matter of public record and available at Committee meetings.

59 Such minutes, papers, and reports shall be posted on the Committee's website  
60 and provided and maintained by the district.

61 5.2 The Committee shall annually examine the CBOC's website to ensure it is  
62 current and up-to-date.

63 5.3 The CBOC website shall have a fillable membership application.

64 5.4 No later than 60 days after the Committee submits a recommendation to the  
65 governing board, the Committee shall record the board response in its minutes.

## 6. Access to Information

- 6.1 All expenditures by the district of funds obtained through local bond proceeds authorized shall be subject to the review and oversight of the Committee, which shall review and report on all bond fund expenditures considering whether the expenses were consistent with the purposes for which the bonds were authorized. The Committee is responsible for informing the public concerning the use of bond proceeds following the provisions of Education Code §15278.
- 6.2 The Committee shall review annual, independent performance and financial audits of the bond fund expenditures and report to the public at least once each year on which bond funds are being spent regarding the use of the funds. Furthermore, per Education Code §15280(a)(2), the Board shall provide the Committee with responses to all findings, recommendations, and concerns addressed in the audits within three months of receiving the audits.
- 6.3 The Committee shall participate in the auditor selection process.
- 6.4 The Committee shall have an entrance and exit conference with each auditor.
- 6.5 The district shall simultaneously provide the Committee with draft and final copies of audits as they are delivered to the district.
- 6.6 The Committee shall participate in annual auditor performance reviews.

## 7. Logistical Support from the District

- 7.1 The District shall provide the Committee with technical and administrative assistance and financial resources to further its mission and purpose. Financial support will not come from bond funds except when the law permits.
- 7.2 The District shall provide independent legal counsel, responsible only to the Committee, to advise the Committee on relevant legal issues. The district will pay for such legal counsel, but all legal privilege and client loyalty shall be accorded solely to the Committee. The Committee shall select its independent legal counsel working according to applicable State statutory and regulatory provisions and district procurement rules and procedures.
- 7.3 Committee meetings shall be recorded with translators available at the meetings as needed.
- 7.4 Committee documents (agendas, agenda backup documents, audit reports, annual reports, financial reports, status reports, and all other documents received

98 by the Committee) and recordings of Committee meetings, if any, shall be  
99 permanently maintained on the Committee's website.

## 100 8. Officers

101 8.1 The officers shall be a chair, vice-chair, and secretary. The Committee shall  
102 elect officers at its initial meeting and its regular meeting before the expiration  
103 of terms. Officer terms are one year or until their successors are elected. The  
104 term of office shall begin at the beginning of the regular meeting after the  
105 election, except at the initial meeting, the term will start immediately. If an  
106 office is vacant, such as due to the death or resignation of a member, then a  
107 replacement shall be elected at the next meeting.

108 8.2 Duties of chair: preside at meetings, establish and appoint the chair of standing  
109 and ad hoc subcommittees, and appoint individuals who are not members as  
110 consultants without a vote to the subcommittee subject to the ratification of the  
111 Committee. Also, call special meetings, change the date of previously  
112 scheduled meetings, and set agendas working with district staff and Committee  
113 members.

114 8.3 Duties of vice-chair: preside at meetings in the chair's absence, other duties as  
115 assigned.

116 8.4 Duties of Secretary: maintain a roster of members, keep an up-to-date meeting  
117 attendance record, review draft minutes prepared by the district, and circulate to  
118 the members for consideration within two weeks after each meeting. Act as  
119 chair in the absence of the chair and vice chair. Monitor the CBOC website to  
120 ensure that it is correct and up-to-date.

121 8.5 The chair shall determine the agenda for each meeting, considering requests  
122 from members. Two Committee members can place an action item on the next  
123 meeting agenda.

124

125 **9. Amendments**

126 Amendments to the Bylaws may be approved at any noticed meeting at which a quorum is  
127 present by a majority of the Committee.

128

129

130

131 APPROVED AND DULY ADOPTED on (date)

132

Chair

Secretary

133

134

Dates of amendments



## California Association of Bond Oversight Committees

A California Public Benefits Corporation # 4319346 was formed on September 19, 2019  
Bond Oversight Done Right

**Anton Jungherr**, Co-Founder & Executive Director  
121 Ash Court, Hercules, CA 94547  
[ajungherr@aol.com](mailto:ajungherr@aol.com), 510.697.7212 cell., [bondoversight.org](http://bondoversight.org)

### MINUTES BOARD OF DIRECTORS

**March 25, 2023**

**Action by Unanimous Written Consent without Meeting  
(Bylaws Article 8 Meetings, Section 10)**

This motion was approved by unanimous written without meeting:

CABOC supports the passage of Assembly Bill No. 469, California Public Records Act Ombudsperson, and that the Executive Director is authorized and directed to communicate our support to the legislature.

Anton Jungherr, Secretary

**ARTICLE 4. MEMBERS**

**Section 1. Membership**

- (a) Membership shall consist of voting members and such other classes of members as the board of directors shall determine.
- (b) Other than as authorized by a vote of the board, no member shall claim association with the California Association of Bond Oversight Committees for commercial purposes.

**Section 2. Classes of Membership**

- (a) Voting members. Voting membership is limited to individuals who are serving or have served on a regular Proposition 39 Citizens' Bond Oversight Committee, citizens' oversight committee of other jurisdiction, CABOC Board Members, and CABOC Advisors, and others passionate about independent school bond construction oversight. Voting members are not required to pay dues at this time but are encouraged to make a voluntary contribution. Voting members in good standing have all the rights and privileges of membership, including the right to vote on:
  - (1) The election of directors.
  - (2) Amendments to the bylaws that materially and adversely affect the rights of members or members' voting rights.
  - (3) A change in the number of directors or the length of directors' terms.
  - (4) Amendments to the Articles of Incorporation.
  - (5) The disposition of all or substantially all the corporation's assets.
  - (6) Any merger and its principal terms; and
  - (7) Such other matters as set forth in the California Nonprofit Public Benefit Corporation Law.
- (b) Associate members. Any person interested in the affairs of the corporation shall be eligible for associate membership if a voting member in good standing recommends that the person be granted associate membership. Associate members shall pay dues as determined by the Board. They are not entitled to vote on corporation issues. Associate members may serve on committees.
- (c) Honorary members. Any individual or business organization recognized for substantial and continual achievement in support of the California Association of Bond Oversight Committees may be approved by the board for honorary membership. Honorary members are not assessed dues and are not entitled to vote on corporation issues. Individual honorary members may serve on committees.

**Section 3. Dues**

Each member shall pay dues in the prescribed amount and at such time as may be set by the board.

**Section 4. Membership Status**

- ~~4(a)~~ Member in good standing. Those members who have paid any required dues, if any, in accordance with these bylaws.
- ~~4(b)~~

**CABOC**  
**6 Board Policy Website Documents Approval Process**  
**Board of Directors Approved January 14, 2023 - TMC Proposed Amendments 3.31.23**

4/1/2023 6:17 PM

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**Website Documents Approval Process**

**Overview**

The website's home page has seven (7) public segments. The purpose of this policy is to describe for each segment the purpose, review process, service standard (Help Desk), definitions and sources (Fraud, Waste, and Abuse), and approval authority for a document to be uploaded to the website [www.bondoversight.org](http://www.bondoversight.org). Also included is the CABOC Digest electronic newsletter.

This policy will ensure that documents/articles/audits/reports posted to the CABOC website reflect the best practices, current information supported by evidence, and CABOC professional and ethical standards. Executive Director is authorized to edit all documents as to style in consultation with the Chief Editor.

Deleted: ethical standards of  
The Board Secretary

**FAQs (Frequently Asked Questions)**

Purpose: Write and answer questions of interest and value to Citizens' Bond Oversight Committee (CBOC) members.

Review Process: Questions and answers drafted by Training Materials Committee, ten (10) calendar days review period by Board, Advisors, and Members (voting).

Deleted: and

Deleted: .

Deleted: Board

Approval Authority: Executive Director

**Best Practices**

Purpose: Write Best Practices standards for the training of CBOCs.

Review Process: Draft prepared by Training Materials Committee. Draft published in The CABOC Digest (special edition Best Practices Proposal) for a fifteen (15) calendar day comment period. Draft posted on website home page, inviting comments with a deadline. Then an additional fifteen (15) calendar day comment period by the Board, Advisors, and Members (voting).

Deleted: News & Updates

Deleted: and

Deleted: of the draft, including all feedback because of publication of the draft on the website and newsletter. Unanimous email approval by Board

Deleted: .

Approval Authority: Board

CABOC

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6 Board Policy Website Documents Approval Process  
Board of Directors Approved January 14, 2023 - TMC Proposed Amendments 3.31.23

38

39 Resources

40 Purpose: Display documents/articles of interest to CABOC members prepared by CABOCs, the  
41 CABOC Board and Advisors, districts, and other recognized organizations and individuals.

42 Review Process: Anyone can recommend that a document/article be uploaded to the website.  
43 Copyrighted material must be reviewed to determine if it can be posted on the website, and  
44 written permission must be obtained if needed. Obtain approval for documents/articles authored  
45 by an individual.

Deleted: to the Board

46 Approval Authority: Executive Director

Deleted: Board

47 Help Desk

48 Purpose: Questions/service requests can be submitted to CABOC through the Help Desk  
49 segment on the website. These requests go to the CABOC Executive Directors' email address.

Deleted: Secretary's

50 Review Process: Referred to Training Materials Committee for answer preparation after  
51 consulting published CABOC FAQs, Best Practices, and subject matter experts as needed.

52 Service Standard: Acknowledgment of request within twenty-four (24) hours with an answer or  
53 status report within five (5) calendar days.

54 Approval Authority: Executive director

Deleted: Training Materials Committee

55 Poor Management Practices Can Lead to Fraud, Waste & Abuse

56 Purpose: Publish evidence of poor bond fund management practices that can lead to fraud,  
57 waste, and abuse and use these to support our legislative program.

58 Sources: District audit reports, district forensic investigation reports, Fiscal Crisis &  
59 Management Assistance Team (FCMAT) extraordinary audits, FCMAT Community College  
60 district reports, FCMAT Comprehensive Assessments, FCMAT Grades K-12 Management  
61 Assistance reports, California State Controller audit reports, California State Auditor audit  
62 reports, California Civil Grand Jury reports, and community college accreditation reports

63 Approval Authority: Executive Director

Deleted: Executive Committee

64 Website Display:

65 Poor Management Practices Can Lead to Fraud, Waste & Abuse

66 Below, CABOC presents a collection of documents from various sources regarding poor  
67 construction bond management practices that can lead to fraud, waste, and abuse.

68 Poor management practices can lead to fraud, waste, and abuse, as defined below by the  
69 Comptroller General of the United States:

70



CABOC

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6 Board Policy Website Documents Approval Process  
Board of Directors Approved January 14, 2023 - TMC Proposed Amendments 3.31.23

76

77 **Abuse:** Behavior that is deficient or improper when compared with behavior that a  
78 prudent person would consider reasonable and necessary business practice given  
79 the facts and circumstances but excludes fraud and noncompliance with provisions  
80 of laws, regulations, contracts, and grant agreements.

81 **Fraud:** Involves obtaining something of value through willful misrepresentation.  
82 Whether an act is a fraud is determined through the judicial or other adjudicative  
83 system and is beyond auditors' professional responsibility.

84 **Waste:** The act of using or expending resources carelessly, extravagantly, or with  
85 no purpose. Waste can include activities that do not include abuse and do not  
86 necessarily involve a violation of the law.

87 **In the News & Updates**

88 Purpose: To display current news articles about and of interest to CBOCs throughout California  
89 and CABOC announcements about conferences, training workshops, annual membership  
90 meetings, etc. News articles will be from reputable news organizations.

91 Review Process: Board members, ~~Advisors, Members (voting), and supporters~~ make  
92 recommendations,

Deleted: and

Deleted: to CABOC Public Relations Committee

93 Approval Authority: ~~Executive Director~~

Deleted: Executive Committee

94 **External Sites**

95 Purpose: To have available in one location various external resources that could be helpful to  
96 CBOC members.

97 Review Process: Board members, ~~Advisors, Members (voting), and supporters~~ make  
98 recommendations,

Deleted: and

Deleted: to CABOC Public Relations Committee

99 Approval Authority: ~~Executive director~~

Deleted: Executive Committee

100 **The CABOC Digest Electronic Newsletter**

101 Purpose: Communication with current and prior California CBOC members and other  
102 stakeholders.

103 Review Process: Draft prepared by newsletter editor and circulated to Executive Committee for  
104 review.

105 Approval Authority: ~~Executive Director~~

Deleted: Executive Committee

106

**CABOC**  
**6 Board Policy Website Documents Approval Process**  
**Board of Directors Approved January 14, 2023 - TMC Proposed Amendments 3.31.23**

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115 **Online Training Videos**

- 116 • Training Materials Committee prepares a proposal for a course: title, goal(s),
- 117 objectives(s), target audience, presenter(s), length in minutes, use of new or existing
- 118 Zoom recording, or a combination of both.
- 119 • Training Materials Committee produces video.
- 120 • Executive Committee acts on the final video.
- 121 • Video uploaded to YouTube.
- 122 • Video uploaded to the website.
- 123 • Video promoted in newsletter.

Deleted: <#>Executive Committee's initial action on the proposal.

124

125

126

127

128

129 History: Original approved June 13, 2020, amended September 12, 2020, January 9, 2021,

130 June 12, 2021, August 21, 2021, April 9, 2022, January 14, 2023, and xxxxxxxxxxxx.

Deleted: and

Deleted:

131



Corporation formed September 19, 2019  
Corporation Number 4319346  
Internal Revenue Service Approved Exempt Federal Income Tax  
Donations tax deductible to the fullest extent allowed by law.

Bond Oversight Done Right

**CORPORATE OFFICERS (7) AS OF APRIL 30, 2023**

(February 1, 2022, to January 31, 2024) Officer terms are 2 years.

President – Carolyn Castillo \* (First elected December 11, 2021, reelected February 12, 2022)

Vice President – vacant

Assistant Vice President – vacant

Secretary – Anton Jungherr (First elected November 12, 2019, reelected February 12, 2022)

Assistant Secretary – vacant

Treasurer – Anton Jungherr \* (First elected November 12, 2019, reelected February 12, 2022)

Assistant Treasurer – Jason Hunter (Elected February 12, 2022)

\*Three authorized to sign checks and pay bills with debt card (Carolyn Castillo, Anton Jungherr, and Denise Sheehan, Administrative Manager); one signature is required.<sup>1</sup>

All Corporate Officers are members of the Executive Committee.

<sup>1</sup> Approved Board February 12, 2022.



Corporation formed September 19, 2019  
Corporation Number 4319346

Bond Oversight Done Right

## **ORGANIZATION CHART AS OF APRIL 30, 2023**

CABOC Voting Members (elect Board of Directors at the annual January membership meeting)

Board of Directors (16)

Corporation Officers prescribed in bylaws elected by Board (7): President, Vice President, Assistant Vice President, Secretary, Assistant Secretary, Treasurer, and Assistant Treasurer.

Executive Committee (7) prescribed in bylaws: Corporation Officers and any other director as approved by Board

Committees (9) defined in Board Policy 1: Audit, Conference, Finance, Legal, Legislation, Members Database, Nominations-Elections, Public Relations, Training Materials

Advisors, appointed by President, subject to ratification by Board

Staff Committees (4): Executive Director's Team, Legislation Tracking Committee, Newsletter, Strategic Plan Working Group

Staff (part-time independent contractor positions)

Executive Director

Administrative Manager

General Counsel

Graphic Design, Newsletter Editor, Web Mistress

Database Manager

Database Specialist

Video Editor

**Directory**

As of May 1, 2023

	A	B	C	D
1	Last Name	First Name	Category	Position
2	Box	Judy	Advisor	Member
3	Chinn	Lori	Advisor	Member
4	Cordaro	Christine	Advisor	Member
5	Dawson	Andrea	Advisor	Member
6	DeWitt	Sallie	Advisor	Member
7	Henry	Alison	Advisor	Member
8	Hill	Vanessa	Advisor	Member
9	Humes	Lorraine	Advisor	Member
10	Lazito	Linda	Advisor	Member
11	Mueller	Keith	Advisor	Member
12	Panas	Tom	Advisor	Member
13	Pisching	Barbara	Advisor	Member
14	Ridgeway	Rex	Advisor	Member
15	Rodridguz	Amadeo	Advisor	Member
16	Steinberg	Ben	Advisor	Member
17	Rubin	Thomas	Audit Committee	Chair
18	Ahad	Tahir	Board	Member
19	Carrel	Marc	Board	Member
20	Castillo	Carolyn	Board	Member
21	Crawley	Marcus	Board	Member
22	Hanson	Chris	Board	Member
23	Haynes	Gina	Board	Member
24	Hunter	Jason	Board	Member
25	Jungherr	Anton	Board	Member
26	Lyell	David	Board	Member
27	Reynolds	Jonathan	Board	Member
28	Riddle	ourania	Board	Member
29	Rubin	Thomas	Board	Member
30	Santgos	Laura	Board	Member
31	Weir	Jack	Board	Emeritus
32	Jungherr	Anton	Conference	Chair
33	Lozito	Linda	Conference	Member
34	Sheehan	Denise	Conference	Member
35	Castillo	Carolyn	Corporate Officer	President
36	Hunter	Jason	Corporate Officer	Assistant Treasurer
37	Jungherr	Anton	Corporate Officer	Secretary & Treasurer
38	Castillo	Carolyn	Executive Committee	President
39	Hunter	Jason	Executive Committee	Assistant Treasurer
40	Jungherr	Anton	Executive Committee	Secreary & Treasurer
41	Castillo	Carolyn	Executive Director's Team	Member
42	Dovan	Brian	Executive Director's Team	Member
43	Lau	Issac	Executive Director's Team	Member

**Directory**

As of May 1, 2023

	A	B	C	D
1	Last Name	First Name	Category	Position
44	Lozito	Linda	Executive Director's Team	Member
45	Rubin	Thomas	Executive Director's Team	Member
46	Sheehan	Denise	Executive Director's Team	Member
47	Jungherr	Anton	Executive Director's Team *	Chair
48	Carrel	Marc	Finance Committee	Member
49	Castillo	Carolyn	Finance Committee	Member
50	Jungherr	Anton	Finance Committee	Chair
51	Rubin	Thomas	Finance Committee	Member
52	Castillo	Carolyn	Legal Committee	Member
53	Crawley	Marcus	Legal Committee	Member
54	Huter	Jason	Legal Committee	Member
55	Jungherr	Anton	Legal Committee	Chair
56	Lustig	Susan	Legal Committee	Member
57	Petzold	Stephen	Legal Committee	Member
58	Reynolds	Jonathan	Legal Committee	Member
59	Rubin	Thomas	Legal Committee	Member
60	Ahad	Tahir	Legislation Committee	Member
61	Carrel	Marc	Legislation Committee	Chair
62	Cordaro	Christine	Legislation Committee	Member
63	Dawson	Andrea	Legislation Committee	Member
64	DeWitt	Sallie	Legislation Committee	Member
65	Haynes	Gina	Legislation Committee	Member
66	Hunter	Jason	Legislation Committee	Member
67	Jungherr	Anton	Legislation Committee	Member
68	Pisching	Barbara	Legislation Committee	Member
69	Reynolds	Jonathan	Legislation Committee	Member
70	Riddle	Ourania	Legislation Committee	Member
71	Rubin	Thomas	Legislation Committee	Member
72	Santon	Laura	Legislation Committee	Member
73	Smith	Drexel	Legislation Committee	Member
74	Verma	Vinita	Legislation Committee	Member
75	Vital	Jim	Legislation Committee	Member
76	Weir	Jack	Legislation Committee	Member
77	Haynes	Gina	Legislation Tracking Committee	Member
78	Hanson	Chris	Legislation Tracking Committee *	Member
79	Dovan	Brian	Members Database Committee	Member
80	Jungherr	Anton	Members Database Committee	Chair
81	Sheehan	Denise	Members Database Committee	Member
82	Castillo	Carolyn	Newsletter Committee	Member
83	Hunter	Jason	Newsletter Committee	Member
84	Jungherr	Anton	Newsletter Committee	Member
85	Riddle	Ourania	Newsletter Committee	Member

# Directory

As of May 1, 2023

	A	B	C	D
1	Last Name	First Name	Category	Position
86	Rubin	thomas	Newsletter Committee	Member
87	Santos	Laura	Newsletter Committee	Member
88	Sheehan	Denise	Newsletter Committee	Member
89	Lozito	Linda	Newsletter Committee *	Chair
90	Humes	Lorraine	Nominations-Elections Committee	Member
91	Jungherr	Anton.	Nominations-Elections Committee	Chair
92	Mueller	Keith	Nominations-Elections Committee	Member
93	Jungherr	Anton	Public Relations Committee	Member
94	Riddle	Ourania	Public Relations Committee	Member
95	Santos	Laura	Public Relations Committee	Member
96	Do	Lyann	Staff	Database Manager
97	Dovan	Brian	Staff	Datebase Specialist
98	Jungherr	Anton	Staff	Executive Director
99	Lau	Issac	Staff	Video Editor
				Graphic Design, Newsletter Editor, Web Mistress
100	Lozito	Linda	Staff	
101	Lustig	Susan	Staff	General Counsel
102	Sheehan	Denise	Staff	Administrative Manager
103	Ahad	Tahir	Strategic Plan Woring Group	Member
104	Carrel	Marc	Strategic Plan Woring Group	Member
105	Castillo	Carolyn	Strategic Plan Woring Group	Member
106	Haynes	Gina	Strategic Plan Woring Group	Member
107	Henry	Alison	Strategic Plan Woring Group	Member
108	Jungherr	Anton	Strategic Plan Woring Group	Member
109	Santos	Laura	Strategic Plan Woring Group	Member
110	Verma	Vinia	Strategic Plan Woring Group	Member
111	Ridgeway	Rex	Strategic Plan Woring Group *	Chair
112	Castillo	Carolyn	Training Materials Committee	Member
113	Cordaro	Christine	Training Materials Committee	Member
114	Crawley	Marcus	Training Materials Committee	Chair
115	Jungherr	Anton	Training Materials Committee	Member
116	Rubin	Thomas	Training Materials Committee	Member
117				
118				
119	* Staff Committee. Executive Committee is established in Bylaws..			
120	All other Committees are Standing Committees established in Bord Policy 1, Standing & Ad Hoc			
121	Committees.			

Subject: **Re: CABOC Board of Directors Resignation March 14, 2022.**  
Date: 3/15/2023 11:10:14 AM Pacific Standard Time  
From: [ajungherr@aol.com](mailto:ajungherr@aol.com)  
To: [richbaron@me.com](mailto:richbaron@me.com)  
Cc: [ajungherr@aol.com](mailto:ajungherr@aol.com)

I understand completely.

Thank you for your service and your passion for independent bond oversight in California.

Take care.

**Anton Jungherr**

California Association of Bond Oversight Committees  
Co-Founder & Executive Director

[ajungherr@aol.com](mailto:ajungherr@aol.com)

510.697.7212 cell

[www.bondoversight.org](http://www.bondoversight.org)

In a message dated 3/14/2023 9:12:29 PM Pacific Standard Time, [richbaron@me.com](mailto:richbaron@me.com) writes:

Anton,

Regretfully at this time i really can't put the time in to serving on the CABOC board in a manner i would be proud of.

i've dealt with major surgery followed by the passing of my mother in late January and settling her estate. in. addition keeping my business running,

thank you for asking me to serve and i feel unable to fulfill the duties at this time.

Rich Baron

(310)4977949

On Mar 14, 2023, at 6:17 PM, Anton Jungherr <[ajungherr@aol.com](mailto:ajungherr@aol.com)> wrote:

Attached are four (4) FAQs for your review and comments:

53. Removal of CBOC member no longer meets the requirements for which they were appointed.

54. Where do we get training?