

**East Nicolaus Joint Union High School District  
COC Annual Update  
June 8, 2016**

**Members:**

All COC members have remained on the board for the 2015/2016 school year. All members intend to continue to serve on the COC for the 2016/2017 School Year

**Bond Projects Completed:**

Roofing/Gymnasium Building  
Classroom Building  
Administration Building  
Library Building  
Parking Lots  
ADA Updates – Quad Restroom

**Funding Remaining:**

Balance \$1,724,137.97 (plus interest) remaining after Bond Projects above completed  
(See attached Bond Funding Update: 4/5/2016)

**Projects Outstanding:**

(See attached chart/timeline)

**Documents Attached:**

Memorandum from Jones Hall regarding Citizens' Oversight Committee (Proposition 39)  
DSA Certification of Compliance Letter  
Bond Funding Update  
Project List



## MEMORANDUM

### Regarding Citizens' Oversight Committee

The purpose of this memorandum is to explain the functions which the citizens' oversight committee is required to perform in connection with a general obligation bond issue of a school district held under the provisions of Proposition 39, which provides for the issuance of general obligation bonds following 55% voter approval. This memorandum describes the minimum level of activity which the Citizens' Oversight Committee must perform, in order to discharge its statutory duties.

**Background.** California's Proposition 39 was a successful initiative measure which appeared on the November 7, 2000 ballot. The measure made certain amendments to the California Constitution and provisions of the California Education Code. The primary impact of Proposition 39 was to permit school districts and community college districts to issue general obligation bonds with a 55% vote under Article XIII A of the California Constitution, provided that the measure presented to the voters includes certain accountability requirements. The specific projects to be funded with the proceeds of the bonds and the accountability requirements are typically set forth in the "FULL TEXT OF MEASURE," which is presented to the voters.

**District's Reporting Requirements.** Proposition 39 contains two specific reporting requirements applicable to the District's general obligation program, as follows:

1. "A requirement that the ... school district board ...conduct an **annual, independent performance audit** to ensure that the funds have been expended only on the specific projects listed."
2. "A requirement that the ... school district board ...conduct an **annual, independent financial audit** of the proceeds from the sale of the bonds until all of those proceeds have been expended for the school facilities projects."

These two audit functions are a duty of the District and clearly must be prepared by an organization which is "independent" of the District. These audit functions are not specifically made the responsibility of the Committee. The purpose of the performance audit is to identify what facilities the bond proceeds have been spent on, relative to the description of authorized facilities contained in the "FULL TEXT OF BALLOT MEASURE." The purpose of the financial audit is to review how the bond proceeds have been spent, i.e. the manner in which the expenditure program has been undertaken, including a review of the amount and purpose of individual expenditures. We recommend that the independent party undertaking the annual performance and financial audits on behalf of the District be instructed by the District to ensure that sufficient detail is contained in these reports to enable the Committee, described in more detail below, to perform its functions described below.

**Citizens' Oversight Committee's Legal Duties.** The implementing legislation (Sections 15278 through 15282 of the Ed. Code) adopted in connection with Proposition 39 states:

*"The purpose of the citizens' oversight committee shall be to inform the public concerning the expenditure of bond revenues."*

The law further sets forth the mandatory functions of the Committee as follows:

1. *Actively review and report on the proper expenditure of taxpayers' money for school construction.*
2. *Advise the public as to whether the District is in compliance with the Section 1(b)(3) of Article XIII A.*
3. *Convene to provide oversight for both of the following:*
  - (a) *ensuring that bond revenues are expended only for the purposes described in Article XIII A, Section 1(b)(3), and*
  - (b) *ensuring that no funds are used for any teacher or administrative salaries or other school operating expenses.*
4. *Issue regular reports on the results of the Committee's activities, which report shall be issued at least once a year.*

Note that, as required by law, all Committee proceedings must be open to the public, and the same public notices which are provided for School Board meetings shall be provided for Citizens' Oversight Committee meetings. Minutes of all Committee proceedings and all documents received and reports issued are a matter of public record and must be made available on the District's internet web page.

**Committees: Discharging its Duty.** In order to discharge its duties, it is clear that, at a minimum, the Committee must receive and review the District's annual performance audit and annual financial audit, which is to be prepared annually by an independent party, as described above. More typically, Committees meet quarterly, and at such meetings, an officer of the District is present to provide a report on recent project expenditures which Committee members may hear and review. Pursuant to its review of the annual reports and other reports which may be provided by the District, the Committee should have the information it needs to advise the public at its public meeting as to whether bond proceeds have been spent on bond projects approved by District voters in compliance with the Constitution, and that such proceeds have not been used for teacher or administrator salaries, or for operating expenses. By law the Committee must issue a report at least once a year regarding its activities and findings. The report must be made available via the District's web site.

**Membership.** The Committee shall consist of a minimum of 7 members appointed by the District Board based on criteria established by Proposition 39, as follows:

- One (1) member active in a business organization representing the business community located in the District.
- One (1) member active in a senior citizen's organization.
- One (1) member active in a bona-fide taxpayers association.

- One (1) member shall be a parent or guardian of a child enrolled in the District.
- One (1) member shall be both a parent or guardian of a child enrolled in the district and active in a parent-teacher organization or school site council.
- Two (2) members of the community at-large appointed by the Board.

District employees or officials are prohibited by law from serving on the Committee. In addition, vendors, contractors and consultants of the District are prohibited from serving on the Committee. Appointed Committee members will be required to acknowledge and ethics policy statement and file FPPC Form 700 with the District.

In general, Bylaws adopted by the District Board will govern appointment, and provide that the members of the Committee will be appointed by the District Board through the following process: (a) appropriate local groups with members which may meet the above criteria will be solicited for applications; (b) the Superintendent or such officer's designee will review the applications; (c) the Superintendent or his designee will make recommendations to the Board; and (d) the District Board will confirm its selection and appointment by resolution.

***Additional Considerations.*** Additional provisions and detail regarding the Committee's duties may be set forth in Bylaws adopted by the School District, which govern the Committee, and each Committee member is advised to review. It is common for Bylaws to provide that, in addition to being posted on the internet for the public to review, the Committee's annual report shall be presented to the District Board during a regular, open meeting. In addition, while an annual meeting of the Committee is the minimum requirement, once bonds have been issued, the Committee may determine to establish a regular meeting schedule to review expenditure reports provided by the District, for instance, on a quarterly basis. An annual organizational meeting may be required under the Bylaws, at which the District Superintendent appoints the initial Chair of the Committee, and a meeting schedule is adopted by the members.

***Timing.*** Following a successful 55 percent election under Proposition 39, the Elections Official has 28 days to provide a certified statement of the results of the election to the District Board. Once this statement is received, the District shall put on its next agenda a resolution certifying the results which is recorded in the District's official Board minutes. Following entry of the election results on the Board's minutes, the District has 60 days to appoint members to the Citizens' Oversight Committee.

**Jones Hall, A Professional Law Corporation  
475 Sansome Street, Suite 1700  
San Francisco, California  
94111**



## Certification of Compliance

April 19, 2016

Dr. Karen Villalobos  
East Nicolaus Jt. Union High School District  
2454 Nicolaus Avenue  
Nicolaus, CA 95659

**Project:** East Nicolaus High School (East Nicolaus Joint High School District)  
**Application #:** 02-114251  
**File Id #:** 51-H4  
**Scope:** Alterations to 1-Staff Bldg, 1-Gymnasium Building, 1-Classroom Building, 1-Administration Building, 1-Library Building, 2-Parking Lots

Dear Dr. Karen Villalobos:

The Department of General Services' records indicate that the construction of the referenced project has been completed in accordance with design documents approved by the Department, and that all the Verified Reports covering the construction have been received. Therefore, the Department of General Services Certifies as follows:

This project is in compliance with California State regulations as to the safety of design and construction of public schools, and for the accommodation of persons with disabilities.

As stated in our letter approving the plans and specifications for this project, the Department does not review design documents or construction for compliance with the electrical, mechanical, or plumbing regulations. It is the responsibility of the professional consultants named on the application to verify compliance with appropriate parts of the California Building Code, and to submit Verified Reports documenting compliance.

Sincerely,

x Chester "Chet" Widom, FAIA  
State Architect  
Division of the State Architect  
CW: jr

cc: School Board  
Architect/Engineer - Brian Whitmore  
File

*Bond 14/15*

Account classifications selected  
FD-RESC-Y-OBJT-SO-GOAL-FUNC-BRS-SCH-DD1 -D2

1.	21-????-?-????-??-????-????-????-????-??
2.	-
3.	-
4.	-
5.	-
6.	-
7.	-
8.	-
9.	-
10.	-

Field ranges selected  
FI RANGE

Sort / Rollup on : Fund

FY Start Date : 07/01/2014  
 Budget Type : Approved  
 Include Budget Tfrs: Y  
 Budget Detail : Not Included  
 Warnings Only : N

Restricted Fl'd Nbr : 02 RESOURCE  
 Separation Option : No Separation of Restricted and UnRestricted  
 Extraction Type : Restricted and UnRestricted  
 GL Transactions : Approved and Unapproved  
 Pre-Encumbrances : Included  
 Account Description: Not Shown

Detail line format : 3 Object ,ALL FIELDS  
 0 Line(s) per detail

Print Revenue Sub Totals: N

Report prepared : TUE, APR 5, 2016, 3:50 PM

*Bond Funding Update*

FROM 07/01/2014 TO 06/30/2015  
UNAPPROVED TRANSACTIONS INCLUDED

FUND :21 BUILDING FUND - BOND PROCEEDS

FD-RESC-Y-OBJT-SO-GOAL-FUNC-BRS-SCH-DD1 -D2

		APPROVED BUDGET		EXPENDED/RECEIVED		UNENCUMBERED	
			CURRENT	YEAR TO DATE	ENCUMBERED	BALANCE	
							\$
8660	INTEREST						
21-0000-0-8660-00-0000-0000-0000-0000-00		1.00	11,986.50	11,986.50	0.00	11,985.50-	.0
TOTAL: 8660		1.00	11,986.50	11,986.50	0.00	11,985.50-	.0
8951	PROCEEDS FROM SALE OF BONDS						
21-9010-0-8951-00-0000-0000-0000-0000-00		3,920,000.00	3,920,000.00	3,920,000.00	0.00	0.00	.0
TOTAL: 8951		3,920,000.00	3,920,000.00	3,920,000.00	0.00	0.00	.0
TOTAL: 8xxx		3,920,001.00	3,931,986.50	3,931,986.50	0.00	11,985.50-	.0
5800	PROFES'L/CONSULTG SVCS/OP EXP						
21-9010-0-5800-00-0000-9100-0000-0000-00		10,500.00	10,500.00	10,500.00	0.00	0.00	.0
TOTAL: 5800		10,500.00	10,500.00	10,500.00	0.00	0.00	.0
TOTAL: 5xxx		10,500.00	10,500.00	10,500.00	0.00	0.00	.0
TOTAL: 1xxx - 5xxx		10,500.00	10,500.00	10,500.00	0.00	0.00	.0
6215	ARCHITECT FEES						
21-9010-0-6215-00-0000-8500-0000-0000-00		0.00	104,675.96	104,675.96	0.00	104,675.96-	.0
TOTAL: 6215		0.00	104,675.96	104,675.96	0.00	104,675.96-	.0
6220	PLAN CHECK FEES/DSA						
21-9010-0-6220-00-0000-8500-0000-0000-00		50,000.00	11,750.00	11,750.00	0.00	38,250.00	76.5
TOTAL: 6220		50,000.00	11,750.00	11,750.00	0.00	38,250.00	76.5
6240	PRELIMINARY TESTING						
21-9010-0-6240-00-0000-8500-0000-0000-00		53,275.00	52,400.00	52,400.00	0.00	875.00	1.6
TOTAL: 6240		53,275.00	52,400.00	52,400.00	0.00	875.00	1.6
6250	OTHER COSTS (PLANNING)						
21-9010-0-6250-00-0000-8500-0000-0000-00		205,000.00	201,287.70	201,287.70	0.00	3,712.30	1.8

FROM 07/01/2014 TO 06/30/2015  
UNAPPROVED TRANSACTIONS INCLUDED

FUND :21 BUILDING FUND - BOND PROCEEDS

FD-RESC-Y-OBJT-SO-GOAL-FUNC-BRS-SCH-DD1 -D2

APPROVED BUDGET	CURRENT	EXPENDED/RECEIVED YEAR TO DATE	%	ENCUMBERED	UNENCUMBERED BALANCE	%
TOTAL: 6250	201,287.70	201,287.70	98.1	0.00	3,712.30	1.8
6252 PRINTING/POSTAGE	117.09	117.09	2.3	0.00	4,882.91	97.6
21-9010-0-6252-00-0000-8500-000-0000-00	117.09	117.09	2.3	0.00	4,882.91	97.6
TOTAL: 6252	370,230.75	370,230.75	100.0	0.00	56,955.75	.0
TOTAL: 6xxx	380,730.75	380,730.75	100.0	0.00	56,955.75	.0



FROM 07/01/2014 TO 06/30/2015  
UNAPPROVED TRANSACTIONS INCLUDED  
Summary

FUND :21 BUILDING FUND - BOND PROCEEDS  
FD-RESC-Y-OBJT-SO-GOAL-FUNC-BRS-SCH-DD1 -D2

	APPROVED BUDGET	CURRENT YEAR TO DATE	EXPENDED/RECEIVED YEAR TO DATE	ENCUMBERED	UNENCUMBERED BALANCE	%
TOTAL INCOME ( 8000 - 8999 )	3,920,001.00	3,931,986.50	3,931,986.50	0.00	11,985.50-	.0
TOTAL: 1xxx - 5xxx	10,500.00	10,500.00	10,500.00	0.00	0.00	.0
TOTAL: 1xxx - 6xxx	323,775.00	380,730.75	380,730.75	0.00	56,955.75-	.0
TOTAL: 1xxx - 7xxx	323,775.00	380,730.75	380,730.75	0.00	56,955.75-	.0
TOTAL EXPENSES ( 1000 - 7999 )	323,775.00	380,730.75	380,730.75	0.00	56,955.75-	.0

Bond 15/14

Account classifications selected  
FD-RESC-Y-OBJT-SO-GOAL-FUNC-BRS-SCH-DD1 -D2

1.	21-????-?-????-??-????-????-????-??
2.	- - - - -
3.	- - - - -
4.	- - - - -
5.	- - - - -
6.	- - - - -
7.	- - - - -
8.	- - - - -
9.	- - - - -
10.	- - - - -

Field ranges selected  
FI RANGE

Sort / Rollup on : Fund

FY Start Date : 07/01/2015  
Budget Type : Approved  
Include Budget Tfirs: Y  
Budget Detail : Not Included  
Warnings Only : N

Restricted Fld Mbr : 02 RESOURCE  
Separation Option : No Separation of Restricted and UnRestricted  
Extraction Type : Restricted and UnRestricted  
GL Transactions : Approved and Unapproved  
Pre-Encumbrances : Included  
Account Description: Not Shown

Detail line format : 3 Object ,ALL FIELDS  
Print Revenue Sub Totals: 0 Line(s) per detail

Report prepared : TUE, APR 5, 2016, 3:51 PM

FROM 07/01/2015 TO 06/30/2016

UNAPPROVED TRANSACTIONS INCLUDED

FUND :21 BUILDING FUND - BOND PROCEEDS

FD-RESC-Y-OBJT-SO-GOAL-FUNC-BRS-SCH-DD1 -D2

APPROVED BUDGET

EXPENDED/RECEIVED  
CURRENT YEAR TO DATE

ENCUMBERED

UNENCUMBERED  
BALANCE

%

	APPROVED BUDGET	CURRENT YEAR TO DATE	ENCUMBERED	UNENCUMBERED BALANCE	%
TOTAL: 6250	12,950.00	12,950.00	0.00	0.00	100.0
6252 PRINTING/POSTAGE					
21-9010-0-6252-00-0000-8500-000-0000-00	5,000.00	0.00	0.00	5,000.00	100.0
TOTAL: 6252	5,000.00	0.00	0.00	5,000.00	100.0
6260 REPLACEMENT/RECONSTRUCTION					
21-9010-0-6260-00-0000-8500-000-000-1507-00	38,603.00	38,603.00	0.00	0.00	100.0
TOTAL: 6260	38,603.00	38,603.00	0.00	0.00	100.0
6271 MAIN BUILDING CONTRACTOR					
21-9010-0-6271-00-0000-8500-000-000-0000-00	687,990.00	618,097.96	0.00	69,892.04	89.8
21-9010-0-6271-00-0000-8500-000-000-1507-00	1,400,599.00	1,155,381.70	0.00	245,217.30	82.4
TOTAL: 6271	2,088,589.00	1,773,479.66	0.00	315,109.34	84.9
TOTAL: 6xxx	2,351,192.00	1,811,965.28	0.00	539,226.72	77.0
TOTAL: 1xxx - 6xxx	2,436,192.00	1,815,138.28	0.00	621,053.72	74.5

FROM 07/01/2015 TO 06/30/2016  
UNAPPROVED TRANSACTIONS INCLUDED  
Summary

FUND :21 BUILDING FUND - BOND PROCEEDS

FD-RESC-Y-OBJT-SO-GOAL-FUNC-BRS-SCH-DD1 -D2  
APPROVED BUDGET

	APPROVED BUDGET	EXPENDED/RECEIVED CURRENT YEAR TO DATE	%	ENCUMBERED	UNENCUMBERED BALANCE
TOTAL INCOME ( 8000 - 8999 )	14,968.07	14,468.07	96.6	0.00	500.00 3.3
TOTAL: 1xxx - 5xxx	85,000.00	3,173.00	3.7	0.00	81,827.00 96.2
TOTAL: 1xxx - 6xxx	2,436,192.00	1,815,138.28	74.5	0.00	621,053.72 25.4
TOTAL: 1xxx - 7xxx	2,436,192.00	1,815,138.28	74.5	0.00	621,053.72 25.4
TOTAL EXPENSES ( 1000 - 7999 )	2,436,192.00	1,815,138.28	74.5	0.00	621,053.72 25.4

14/15 total 380,730.75

4/5/16

Total to date

2,195,869.03

Balance

1,724,130.97

ENHS Facility List Construction Projects – Ongoing List (Updated: 5/25/2016)

Project	Projected Timeline	Notes	Amount	Funding Source
<b>Weight Room</b>				
Weight Room	<p>DSA Submit to DSA: April 14 DSA plan review: May 27 – June 10 DSA approval: June 10</p> <p>Modular Building Drawings: by April 14 Fabrication: June 15 – August 15</p>		\$394,481	Bond
Site Construction	<p>Site foundations: Aug 8 – Aug 23 Building delivery: August 30 Building completion: Sep 1 – Sep 30</p> <p>Site Construction Bid: June 10 – June 28 Board award (special meeting): June 30 Contracts: July 6 Demolition and pad: July 11 – August 8 Site work &amp; utilities: July 11 – Oct 15 Building low voltage install: Sep 15 – Oct 15</p> <p><b>Occupancy: Oct 15</b></p>		~\$250,000	
<b>Welding Shop</b>				
Welding Shop/Overhang	TBD *JG will be working with TB June 2016 for design and scope	(May be able to do fall/winter 16-17 depending on scope – DSA)	\$464,000	\$200,000 Traveler's \$156,000 STREAM \$108,000 CTEIG
<b>DSA Certification Needed</b>				
Deli	Spring Break 2017 (demo)/ Summer 2017 Construction		Estimate \$350/sf	Bond
5 Classrooms - Relocated	TBD – 3 classrooms only (Current Barker Classroom (2 modulars) + Naiman/Johnson Classrooms)	*Will not be moving former Ag Classroom & Computer Lab		Bond
Wahl Field Restroom		Railings – ADA issues JG not feeling this is a huge issue		
<b>FFA Classroom</b>				
Linoleum	April 2016	Completed	~\$6,000	Bond
Mini-blinds				
Technology				
Cement Pad/Ramp	Summer 2016	JG working on scope (5/25/2016)		Bond
Man Gate				

Path of Travel				
<b>Misc Projects</b>				
4 AC Units – Gym/Multiuse Area	No date – Hold for replacement	per Jeff Grau	\$160,000	Johnson Control Settlement
<b>Misc Roofing</b>				
Roofing Seal	Summer 2016	George Roofing	\$92,000	Bond
Shop Roof Replacement	Fall 2016	Comp. Shingles	TBD	Bond
<i>Working with Justin Holliman on these two projects.</i>				
<b>Misc Construction</b>				
Library Computer Room		TBD – On hold		--
Move Speech/Psych to Library Classroom	June 2016	ENHS Custodial Crew		0
Move Technology Room		TBD – On hold		--
Build Technology Room		TBD – On hold		0
Build Office in Wood Shop		Working with JG (Feasibility/Approval may be an issue)		
Move RSP Class	June 2016			0
Create Lab Classroom next to Science Lab	June 2016		\$15,000	One Time Dollars Science Tables/Lab demonstration table
Install Light at Wahl Field	Summer 2016	Maintenance		One Time Dollars
<b>Installation</b>				
Security Cameras – Parking Lot/FFA	Summer 2016			One Time Dollars
Bell System – FFA	Summer 2016			One Time Dollars