



# **CBAC** Citizens Bond Advisory Committee

## **REFERENCE GUIDE**

EL PASO INDEPENDENT SCHOOL DISTRICT





To All Members of the Citizen's Bond Advisory Committee (CBAC):

First and foremost, thank you for your dedication to the El Paso Independent School District. By serving on the EPISD 2016 Bond CBAC, you are ensuring that our District is promoting transparency, being good financial stewards of the taxpayer's money and keeping our citizens informed of their 2016 Bond Program.

In November 2016, the taxpayers of this community passed a \$669 million bond package, the largest in the history of the District, the City and the County. This unprecedented bond proposal is aimed at modernizing and right-sizing the District as well as creating 21st Century Learning Environments throughout the District to help facilitate the modern, future-ready teaching and learning techniques that are the focus of instruction in our schools. The Bond will also consolidate schools into modern facilities that will help create a more sustainable inventory of campuses in EPISD. Other areas of focus for the Bond include investments in athletic facilities, school buses, instructional technology and safety and security measures.

This is a critical undertaking for our EPISD community and the District stands ready for the challenge. The District is dedicated to ensuring that all projects are delivered on time and on budget. The CBAC provides oversight to ensure that the District is delivering the projects as promised. Given this oversight, this reference guide was developed to provide the CBAC with a framework to work within. These guidelines are in line with the CBAC Charter approved in conjunction with the bond passage. Working together, the District and the CBAC can make sure that we get these projects done right so that our students and community get the benefit for many years after our work here is done.

Thank you, again, for your willingness to serve on the CBAC. We sincerely appreciate your time and service to our District!

Respectfully,



Carmen Arrieta-Candelaria  
Deputy Superintendent for Finance and Operations  
March 21, 2018

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# **EL PASO INDEPENDENT SCHOOL DISTRICT CITIZENS BOND ADVISORY COMMITTEE REFERENCE GUIDE**

## **Introduction**

This Reference Guide is produced as a guide for the Citizens Bond Advisory Committee (hereafter referred to as the **CBAC**) as it conducts its work on behalf of the El Paso Independent School District Board of Trustees (**BOT**) and the District (**EPISD**).

## **Purpose**

The purpose of this Reference Guide is to make committee members aware of their role and responsibilities as a member of the committee. This Reference Guide is intended to guide the work of the committee in alignment and compliance with pertinent EPISD Board policies and administrative regulations. In case of conflict, the language of officially adopted Board policies and written administrative policies will take precedence over any contrary provisions in this Reference Guide.

This Reference Guide will be reviewed and adopted by the CBAC and updated as needed at a regularly scheduled CBAC meeting.

## **Establishment**

The CBAC is established by the EPISD BOT as an ad hoc advisory body of the district. The CBAC is responsible to, reports to, and serves at the will of the Trustees and the Superintendent. CBAC recommendations are advisory only. The Trustees retain sole decision-making authority.

## **Charter**

A CBAC Charter was adopted by the BOT on January 17, 2017. This charter (Appendix A) governs the activities of the CBAC.

## **Membership**

Members of the CBAC shall be residents of and reflect the diversity of the district, and should include a balance of stakeholder interests and perspectives, including but not limited to educators, community members, and expertise in related areas such as business, finance, land development, engineering and construction management. CBAC members serve the general interest of the public as opposed to any personal interest or special interest group.

The CBAC shall consist of a total of 20 members. 2 selected by each of the Trustees and 3 selected by the Superintendent. Additionally, 3 seats shall be allotted (1 each) for the Greater El Paso Chamber of Commerce, the El Paso Hispanic Chamber and EPISD's largest teachers association. If a vacancy occurs, the corresponding Trustee, Superintendent or organization will replace that vacancy.

It is the responsibility of each member to provide profile and contact information to the DFO to ensure that a member roster is current and up-to-date.

### **Term of Member**

CBAC members are expected to serve 5-year terms, beginning with the date of the appointment. The initial term began on February 16, 2017, when the first meeting of the CBAC was held, and will end on February 15, 2022. In the event of a vacancy through resignation or otherwise, the replacement member will serve for the remainder of the initial term. The next term for CBAC members will begin on February 15, 2022; terms will continue thereafter every five years beginning on February 16 and ending on February 15 until such time as the BOT terminates the committee.

### **Criteria to serve as a CBAC**

In order to serve on the CBAC, a member must meet the criteria in order to be appointed by a member of the BOT or Superintendent:

- CBAC members cannot be an employee or official of the District, or any vendor, contractor, or consultant of the District.
- Members of the CBAC should **not** be related to or work for any owners or employees of companies that will bid on EPISD Bond 2016 projects.

A conflict of interest or disclosure form will be required from all members at the beginning of their term. If there is a material or significant event that causes a member to potentially have a conflict, then a new form must be submitted by the member for evaluation.

All conflict of interest or disclosure forms will be reviewed by the DFO for determination of conflict.

### **CBAC Leadership**

At the initial meeting, the CBAC shall select the following officers: Chair, Vice-Chair and Secretary. Officers shall serve 2-year terms. The initial meeting of the CBAC was on February 16, 2017. Terms will run as follows:

Initial (First) Term	February 16, 2017 – February 15, 2019
Second Term	February 16, 2019 – February 15, 2021
Third Term	February 16, 2021 – February 15, 2023

In the event of a vacancy through resignation or otherwise, the officer will serve for the remainder of that specific term as it applies above. The Chair can request nominations at the next regularly scheduled CBAC meeting for open slots of the Vice-Chair and Secretary. In the event of a vacancy of the Chair, the Vice-Chair will request the nominations at the next regularly scheduled CBAC meeting. A simple majority of the CBAC will suffice to approve a vacancy of the officer position. At the end of each term, new officers will be elected by the members.

### **District Staff Assigned to CBAC**

The Superintendent designates the Deputy of Finance and Operations (DFO) as the coordinator of the CBAC. DFO shall appoint up to 3 district employees to serve as support to the CBAC.



## **Attendance**

Attendance will be taken at each regularly scheduled CBAC meeting. Regular attendance by CBAC members is expected. If a member misses more than three consecutive meetings, the Chair will make a recommendation to the CBAC committee for removal of that individual due to lack of attendance. If the CBAC committee approves the recommendation by a simple majority, the Trustee, Superintendent or entity that appointed that individual will be advised of the recommendation. It is then up to the person or entity to determine whether or not the individual will be replaced.

## **Conduct of Members**

It is the responsibility of each CBAC member to conduct themselves in a professional, courteous manner with all other members of the CBAC and District staff. The Chair will dismiss any CBAC member from a meeting or event if he/she is acting in an unprofessional or discourteous manner. The Chair may further recommend removal to the BOT any member that he/she deems does not act in accordance with these professional, courteous standards.

## **Meetings**

Unless otherwise directed by the Superintendent, the Chair shall consult with the DFO to establish a meeting schedule for the CBAC, except that the CBAC shall meet at least once per quarter. It is recommended that meetings be scheduled every second Thursday of the month.

CBAC meeting agendas shall be posted at district offices and on the CBAC website at least 48 hours in advance. CBAC meetings shall be open to the public, and the Chair shall ensure that the district's standard guidelines for citizen's input is applied.

Members shall attempt to reach recommendations by consensus. However, if a clear consensus cannot be obtained, recommendations shall be reached by a majority vote of members present. Members must be present to vote; proxy or email votes are not allowed. Members are not allowed to send others in their place to vote.

## **Agendas**

The Chair shall consult with the DFO to establish agendas for each CBAC meeting. If another member wishes to place an item on the agenda, an email to the Chair with a copy to the DFO should be sent no later than two weeks prior to the date of the regularly scheduled CBAC meeting. It is up to the Chair to place the item on a future agenda. The CBAC meeting agenda shall be sent out no later than one week prior to the agenda date.

## **Committee Duties and Responsibilities**

The CBAC shall be available to assist the district and DFO in communicating information to the public, and in gathering and assessing public input. The CBAC should have an opportunity to review and comment upon major changes in Bond-funded activities, allocations, and projects prior to final action by the BOT being taken. The BOT will determine the threshold for what a major change entails based on a dollar amount or percentage of the Bond funds. If requested by a majority of the Committee, the Chair shall present any comments regarding major changes to bond-funded allocations and projects at the next regularly scheduled BOT meeting.

The Committee shall inform the Superintendent, Board and general public (in that order) concerning the District's overall project management and progress of all 2016 bond projects, including but not limited to:

- Review periodic reports produced by the District and Program Manager to verify effective and efficient use of bond proceeds and compliance with the purposes set forth in the 2016 bond program as approved by the Trustees.
- Ensure that bond revenues are expended for the purpose set forth in the 2016 bond program as approved by the Trustees.
- Validate that no bond funds are used for any teacher or administrative salaries or other school operating expenses, other than administrative salaries whose primary purpose is to manage the district's bond programs.
- Review efforts by the District to maximize bond revenues by balancing best value, quality, and efficiency in meeting the district's goals and priorities.
- Coordinate with the DFO to visit District facilities and grounds for which bond proceeds have been or will be expended, in accordance with any necessary access procedures.
- Review bond reports published by the district.
- Review any financial audits of the district's bond programs to ensure the district is taking appropriate action to remediate any deficiencies identified in such reports.
- Review bond Program Manager's periodic status reports.
- Perform other reasonable duties requested by the Trustees, Superintendent and/or DFO.
- Disclose and sign an annual conflict of interest statement for conflicts and re-submit if any conflicts arise during a CBAC member's tenure.
- Report any perceived allegation of wrongdoing; potential waste, fraud, misuse or abuse; or non-compliance with Local, State, Federal laws/ regulations, or District policies that becomes known to the CBAC to the Superintendent and Internal Audit at the same time, with the Internal Auditor then sending the allegation to the Internal Audit Committee.

The Committee provides counsel and input to the administration and the Trustees, **but it does not** have management or policy-setting responsibilities. Also, the Committee does not have a fiduciary responsibility to the district, nor are its members personally liable to the district. The CBAC is not responsible for:

- Approval of construction contracts or change orders;
- Appropriation of construction funds;
- Handling of legal matters;
- Approval of construction plans and schedules;
- Approval of the District's maintenance plan;
- Approval of the sale of bonds;
- Establishment of priorities and order of construction for the bond projects;
- Selection of architects, engineers, construction managers, project managers, and such other professional service firms;
- Approval of the design for each project including exterior materials, paint color, interior finishes, site plan and construction means or methods;
- Selection of independent audit firm(s), performance audit consultants and such other consultants as are necessary to review the 2016 bond projects;

- Setting or approving schedules of design and construction activities;
- Investigations of alleged wrongdoing; potential waste, fraud, misuse or abuse; or non-compliance with Local, State, Federal laws/ regulations, or district policies;
- Directing the activities of staff or consultants; or
- Activities, roles or responsibilities that have been delegated to staff or consultants by the Superintendent or his designee.

### **Subcommittees**

The Chair and DFO may, but are not required to form CBAC subcommittees to perform various work and to make recommendations to the full CBAC. Subcommittees must be smaller than a quorum of the full CBAC.

### **Responsibilities of the Chair**

The Chair shall act as the sole spokesperson for the CBAC; members shall not speak for the district nor the committee. The Chair shall preside over meetings and shall ensure that the district's standard guidelines for citizen's input is applied. The Chair shall represent the CBAC at meetings or other events as necessary or appropriate. As requested by a majority of the Committee, the Chair shall present any comments regarding major changes to bond-funded allocations and projects at the next regularly scheduled BOT meeting.

### **Responsibilities of the Vice-Chair**

The Vice-Chair shall preside over meetings when the Chair is not available. The Vice-Chair will assume all other duties of the Chair only when the Chair position is vacant.

### **Responsibilities of the Secretary**

The Secretary will be responsible for ensuring that all members sign in for meetings. The Secretary, along with the DFO shall ensure that basic minutes are kept for each CBAC meeting and posted on the CBAC website.

### **Responsibilities of the DFO**

The DFO shall coordinate arrangements for regular CBAC meetings and any subcommittee meetings, including meeting space, support staff, and materials.

In consultation with the Secretary, the DFO shall ensure that basic minutes are kept for each CBAC meeting and posted on the CBAC website. The DFO shall ensure that the CBAC minutes remain current.

The DFO, through the Superintendent's Board of Trustees Weekly Update process, shall provide periodic status reports on the CBAC's work.

### **CBAC Reporting**

The Superintendent and/or Trustees may provide direction on a schedule for CBAC reporting. Any reports prepared by the CBAC shall be provided to the Superintendent, who shall forward the reports to the Trustees. The Superintendent may request the Chair to report to Trustees

at a board meeting or workshop.

### **CBAC Website**

For the benefit of the public and to assure full transparency, the district shall maintain a specific and unique CBAC website. CBAC reports shall be posted on the CBAC website.

### **Dissolution of CBAC**

The CBAC will be dissolved by the BOT at a regularly scheduled board meeting after the primary duties of the committee have been completed, the bond proceeds have been entirely expended, or the BOT chooses to dissolve the committee as allowed in the CBAC Charter. The Trustees retain sole authority to disband the CBAC.

### **Contact or Assistance for CBAC Members**

If assistance is needed by the committee, a member can reach out to Veronica Campbell, Coordinator for the Deputy Superintendent for Finance and Operations at 915-230-2801.

## Appendix A

### El Paso Independent School District **2016 CITIZENS' BOND ADVISORY COMMITTEE CHARTER**

#### **Establishment**

- The Citizens' Bond Advisory Committee (CBAC) is established by the EPISD Board of Trustees (Trustees) as an ad hoc advisory body of the district. The CBAC is responsible to, reports to, and serves at the will of the Trustees and the Superintendent.
- The Superintendent designates the Deputy of Finance and Operations (DFO) as the coordinator of the CBAC.

#### **Membership**

- Members of the CBAC shall be residents of and reflect the diversity of the district, and should include a balance of stakeholder interests and perspectives, including but not limited to educators, community members, and expertise in related areas such as business, finance, land development, engineering and construction management.
- CBAC members cannot be an employee or official of the District, or any vendor, contractor, or consultant of the District.
- CBAC members serve the general interest of the public as opposed to any personal interest or special interest group.
- CBAC members are expected to serve a 5-year term.
- Members of the CBAC should **not** be related to or work for any owners or employees of companies that will bid on EPISD Bond 2016 projects.
- The CBAC shall consist of a total of 20 members. 2 selected by each of the Trustees and 3 selected by the Superintendent. Additionally, 3 seats shall be allotted (1 each) for the Greater El Paso Chamber of Commerce, the El Paso Hispanic Chamber and EPISD's largest teachers association.
- At the initial meeting the CBAC shall select a Chair, Vice-Chair and Secretary. Officers shall serve 2 year terms.
- Regular attendance by members is expected. DFO shall establish, in consultation with CBAC members, policies and procedures regarding committee attendance and removal of members for non-compliance.
- The Chair shall act as the sole spokesperson for the CBAC; members shall not speak for the district.
- The Trustees retain sole authority to disband the CBAC.

#### **Meetings**

- Unless otherwise directed by the Superintendent, the Chair shall consult with the DFO to establish a meeting schedule for the CBAC, except that the CBAC shall

meet at least once per quarter.

- The Chair shall consult with the DFO to establish agendas for each CBAC meeting.
- CBAC meeting agendas shall be posted at district offices and on the CBAC website at least 48 hours in advance. CBAC meetings shall be open to the public, and the Chair shall ensure that the district's standard guidelines for citizen's input is applied.
- The DFO and Chair may, but are not required to form CBAC subcommittees to perform various work and to make recommendations to the full CBAC. Subcommittees must be smaller than a quorum of the full CBAC.
- Members shall attempt to reach recommendations by consensus. However, if a clear consensus cannot be obtained, recommendations shall be reached by a majority vote of members present. Members must be present to vote; proxy or email votes are not allowed.
- CBAC recommendations are advisory only. The Trustees retain sole decision-making authority.

**Committee Duties and Responsibilities:**

The Committee shall inform the Superintendent, Board, and general public (in that order) concerning the District's overall project management and progress of all 2016 bond projects, including but not limited to:

- a) Review periodic reports produced by the District and Program Manager to verify effective and efficient use of bond proceeds and compliance with the purposes set forth in the 2016 bond program as approved by the Trustees.
- b) Ensure that bond revenues are expended for the purpose set forth in the 2016 bond program as approved by the Trustees.
- c) Validate that no bond funds are used for any teacher or administrative salaries or other school operating expenses, other than administrative salaries whose primary purpose is to manage the district's bond programs.
- d) Review efforts by the District to maximize bond revenues by balancing best value, quality, and efficiency in meeting the district's goals and priorities.
- e) Coordinate with the DFO to visit District facilities and grounds for which bond proceeds have been or will be expended, in accordance with any necessary access procedures.
- f) Review bond reports published by the district.
- g) Review any financial audits of the district's bond programs to ensure the district is taking appropriate action to remediate any deficiencies identified in such reports.
- h) Review bond Program Manager's periodic status reports.
- i) Perform other reasonable duties requested by the Trustees, Superintendent and/or DFO.
- j) Disclose and sign an annual conflict of interest statement for conflicts and re-submit if any conflicts arise during a CBAC member's tenure.



- k) Report any perceived allegation of wrongdoing; potential waste, fraud, misuse or abuse; or non-compliance with Local, State, Federal laws/ regulations, or District policies that becomes known to the CBAC to the Superintendent and Internal Audit at the same time, with the Internal Auditor then sending the allegation to the Internal Audit Committee.

The Committee provides counsel and input to the administration and the Trustees, **but it does not** have management or policy-setting responsibilities. Also, the Committee does not have a fiduciary responsibility to the district, nor are its members personally liable to the district. The CBAC is not responsible for:

- a) Approval of construction contracts or change orders;
- b) Appropriation of construction funds;
- c) Handling of legal matters;
- d) Approval of construction plans and schedules;
- e) Approval of the District's maintenance plan;
- f) Approval of the sale of bonds;
- g) Establishment of priorities and order of construction for the bond projects;
- h) Selection of architects, engineers, construction managers, project managers, and such other professional service firms;
- i) Approval of the design for each project including exterior materials, paint color, interior finishes, site plan and construction means or methods;
- j) Selection of independent audit firm(s), performance audit consultants and such other consultants as are necessary to review the 2016 bond projects;
- k) Setting or approving schedules of design and construction activities;
- l) Investigations of alleged wrongdoing; potential waste, fraud, misuse or abuse; or non-compliance with Local, State, Federal laws/ regulations, or district policies;
- m) Directing the activities of staff or consultants; or
- n) Activities, roles or responsibilities that have been delegated to staff or consultants by the Superintendent or his designee.

### **Responsibilities**

- For the benefit of the public and to assure full transparency, the district shall maintain a specific and unique CBAC website.
- The Chair shall preside over meetings and represent the CBAC as necessary or appropriate.
- DFO shall appoint up to 3 district employees to serve as support to the CBAC.
- The DFO shall coordinate arrangements for regular CBAC meetings and any subcommittee meetings, including meeting space, support staff, and materials.

- The CBAC shall be available to assist the district and DFO in communicating information to the public, and in gathering and assessing public input.
- The Secretary and DFO shall ensure that basic minutes are kept for each CBAC meeting and posted on the CBAC website. The DFO shall ensure that the CBAC minutes remain current.
- The DFO, through the Superintendent's Board of Trustees Weekly Update process, shall provide periodic status reports on the CBAC's work.
- The Superintendent and/or Trustees may provide direction on a schedule for CBAC reporting. Any reports prepared by the CBAC shall be provided to the Superintendent, who shall forward the reports to the Trustees. The Superintendent may request the Chair to report to Trustees at a board meeting or workshop. CBAC reports shall also be posted on the CBAC website.







## EL PASO INDEPENDENT SCHOOL DISTRICT

Education Center • 6531 Boeing Dr. El Paso TX 79925  
Phn 915.230.2000 • [www.episd.org](http://www.episd.org)



**BOARD OF TRUSTEES** Trent Hatch, Board President • Bob Geske, Vice President • Al Velarde, Secretary • Susie Byrd • Diane Dye  
Mickey Loweree • Chuck Taylor **SUPERINTENDENT OF SCHOOLS** Juan E. Cabrera

*The El Paso Independent School District does not discriminate in its educational programs or employment practices on the basis of race, color, age, sex, religion, national origin, marital status, citizenship, military status, disability, genetic information, gender stereotyping and perceived sexuality, or on any other basis prohibited by law. Inquiries concerning the application of Titles VI, VII, IX, and Section 504 may be referred to the District compliance officer, Patricia Cortez, at 230-2033; Section 504 inquiries regarding students may be referred to Verna Ball at 230-2829.*