

**DEL MAR UNION SCHOOL DISTRICT**  
**CITIZENS' OVERSIGHT COMMITTEE**

(MEASURE MM - Approved by Del Mar Union School District Voters on November 6, 2018)

**ANNUAL REPORT**

Period Covering – May, 2019 to June 30, 2019 (Fiscal Year 2018-19)

THIS REPORT (“Report”) IS HEREBY ADOPTED BY THE **DEL MAR UNION SCHOOL DISTRICT MEASURE MM CITIZENS’ OVERSIGHT COMMITTEE** PURSUANT TO EDUCATION CODE SECTION 15280(b) AND SUBMITTED TO THE PUBLIC IN CONFORMANCE WITH SUCH SECTION. THIS REPORT COVERS THE PERIOD OF FROM MAY, 2019, TO JUNE 30, 2019 (FISCAL YEAR 2018-19), AND CERTAIN RELATED MATTERS.

**I. MEMBERSHIP OF THE DEL MAR UNION SCHOOL DISTRICT CITIZENS’ OVERSIGHT COMMITTEE:**

**Citizens’ Oversight Committee Members:**

The membership on the Del Mar Union School District (District) Measure MM Citizens’ Oversight Committee (COC) currently consists of the following individuals:

- Neelum Arya                      *(Community-At-Large Representative)*
- Katie Hazen                      *(Parent-Teacher Organization Representative)*
- Kathy Huang                      *(Business Community Representative)*
- David Jackson                      *(Taxpayer Organization Representative)*
- Ira Sharp                              *(Senior Citizens’ Organization Representative)*
- Sameer Vora                        *(Parent of Enrolled DMUSD Student Representative)*  
                                            *(Appointed in September, 2019)*
- Fuxiao Xin                         *(Community-At-Large Representative)*

During the period covered by this Report the COC had not yet elected officers. As of June 30, 2019, Mr. Robert E. Anslow (School District Bond Counsel) was Acting Chairperson for the COC.

**II. ACTIVITIES OF THE DEL MAR UNION SCHOOL DISTRICT MEASURE MM CITIZENS’ OVERSIGHT COMMITTEE:**

Minutes describing the meetings and activities of the COC are available as public records and are available on the COC website. For more complete descriptions of actions taken by the COC please see Minutes of the corresponding meeting posted on the District-maintained COC Website (described herein). All approved COC Agendas, approved Minutes and Annual Reports are, and have been, posted on the COC Website: <https://www.dmusd.org/Page/8772>.

Additional documents and reports are posted at the COC Website in accordance with the directives of the COC.

### **III. CITIZENS' OVERSIGHT COMMITTEE (COC) FINDINGS FOR FISCAL YEAR 2018/2019:**

In order to comply with the requirements of Proposition 39, the COC has made certain findings as to activities of the COC and the use and expenditure of Measure MM Bond proceeds for the referenced Fiscal Year. The COC hereby finds and determines as follows:

1. COC has met regularly.

The meeting of the COC held during Fiscal Year 2018-19 is briefly described above. Approved Minutes of the COC meetings from and after May 8, 2019, are on file with the District and are posted on the COC Website at: <https://www.dmusd.org/Page/8772>.

2. The COC has received reports, updates, and information concerning Measure MM and reviewed project expenditures made on projects authorized under Measure MM.

The COC has received various reports (both written and oral), including, but not limited to, construction and project timelines, has received written and oral reports on proposed expenditures relating to the Measure MM Series A Bonds funds. Those reports and documents are briefly described in the approved Minutes of meeting(s) and in the handouts presented to the COC, as described above.

The COC notes that the initial series of general obligation bonds issued pursuant to the Measure MM bond authorization\* were delivered in October, 2019, and, as such, there were no proceeds of such bonds held during the 2018-19 Fiscal Year. Information and findings concerning Measure MM bond funds will be provided in the COC Annual Report for Fiscal Year 2019-20.

A complete list of the reports provided to the COC is available at the School District offices for public review upon request. Information on certain COC handouts and documents is also located on the COC Website (see "Additional Materials").

3. The COC Expects to Visit Schools and Project Sites.

It is the expectation of the COC that school site and project sites will be visited by the COC as Measure MM bond-funded projects move into construction. No such visits were conducted by the COC during the 2018-19 Fiscal Year.

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\* The Del Mar Union School District issued its \$55,285,000 General Obligation Bonds, 2018 Election, Series 2019A on October 16, 2019.

4. Measure MM Bonds funds expenditures (Education Code Section 15278(b)(1)).

During Fiscal Year 2018-19 there were no proceeds of Measure MM Bond proceeds available or expended.

The specific projects authorized by Measure MM are posted on the COC website at: <https://www.dmusd.org/Page/8675>

Construction updates on the Measure MM projects can be found at: <https://www.dmusd.org/Page/8739>

5. No Measure MM monies have been spent on teacher/administrator salaries or other school operating expenses (Education Code Section 15278(b)(2)).

During Fiscal Year 2018-19 there were no proceeds of Measure MM Bond proceeds available or expended.

The text of Measure MM includes the following wording:

**“TAXPAYER PROTECTIONS: The following taxpayer protections are specifically provided in this Bond Measure and by law:**

- Bond funds shall be used only for the school facilities projects identified herein, and **not for any other purpose.**
- Requirements of the California Government Code concerning **the use of, and accounting for, the expenditure of bond proceeds** shall be complied with as directed by the Governing Board of Trustees of the District.
- As required by law, an **Independent Citizen’s Oversight Committee** shall oversee expenditures of bond funds, and related matters, and shall report to the Governing Board of Trustees and communicate with the public on such expenditures.
- As required by law, the School District shall conduct **annual financial audits and performance audits** (using independent auditors) for all bond funds.
- Bond Funds **shall not be used** for teacher or non-construction related administrator salaries or other non-construction related operating expenses.”

6. Audit Reports reviewed, received and filed with the COC.

During Fiscal Year 2018-19 there were no proceeds of Measure MM Bond proceeds available or expended. As such no audit reports for this period have been prepared.

The required performance and financial audits for Measure MM bond proceeds will commence with Fiscal Year 2019-20.

7. The COC has received all necessary and requested technical and administrative assistance from the School District (Education Code Section 15280).

Under the requirements of Education Code Section 15280, the District is required to provide the COC with all necessary technical and administrative assistance without expending Measure MM bond funds. The District has made presentations to the COC, provided documents and information as set forth herein, and has provided necessary and requested architectural, construction management, legal and planning support and assistance to the COC. Based on the foregoing, and the documentation and information provided to the COC, as referenced herein, the COC has found that the District has provided all necessary and requested technical and administrative assistance.

8. COC Website is operating and includes all required documentation and information (Education Code Section 15280(b)).

The COC internet website is operated and maintained by the District on behalf of the COC and is currently located at <https://www.dmusd.org/Page/8772>. Information relating to the COC, its activities and documents can be viewed at the COC website. This includes minutes of the COC meetings, lists of documents received by the COC, and other reports issued by the COC, which will include this Annual Report following its adoption.

9. Based on the foregoing, the Del Mar Union School District is in compliance with the requirements of Article XIII A 1(b)(3) of the California Constitution.

#### **IV. CONTACT INFORMATION:**

Comments, questions and suggestions can be forwarded to the COC through the School District at the following address:

Del Mar Union School District  
11232 El Camino Real  
San Diego, CA 92130-2657

Attn: Ms. Cathy Birks, Assistant Superintendent, Business Services  
Telephone: (858) 755-9301  
Facsimile (858) 523-6114

or on the COC website by e-mail.

Dates, times and location(s) of COC meetings can be found on the COC website. Members of the public are invited to attend.

ADOPTED, SIGNED AND APPROVED BY THE DEL MAR UNION SCHOOL  
DISTRICT CITIZENS' OVERSIGHT COMMITTEE ON APRIL 20, 2020.

A handwritten signature in blue ink, appearing to read "Ira Sharp", written over a horizontal line.

Ira Sharp, Clerk