



Solano Community College District

MEASURE Q CITIZENS' BOND OVERSIGHT COMMITTEE (CBOC) MEETING

Fairfield Campus (Swing Space) – Conference Room 234

Solano Community College, 360 Campus Lane, Suite 201, Fairfield, California

Monday, August 11, 2014

5:30 p.m. – 6:30pm

UNADOPTED MINUTES

Members Present

1. Mr. Melvin Jordan, Chairman CBOC
2. Mr. Robert Charboneau
3. Mr. Gary Bertagnolli
4. Mr. Lyman Dennis
5. Dr. Walter Quinn
6. Mr. Hermie Sunga
7. Mr. Neil Ferguson
8. Mr. Angelo Cellini

Members Absent

1. VACANT, Student Association, SCCD

Members of the Public

1. Ms. Janet Roberts

Others Present

1. Dr. Jowel Laguerre, President/Superintendent, SCCD
2. Mr. Leigh Sata, Executive Bond Manager, SCCD
3. Ms. Ines Zildzic, Program Manager, Kitchell CEM
4. David Casnocha, Bond Counsel, Stradling, Yocca, Carlson & Ruth (by phone)
5. Ms. Camille James, Interim (Bond) Business Operations Coordinator, SCCD

Chairman Jordan called the meeting to order at 5:35pm and led those present in the Pledge of Allegiance to the Flag of the United States of America.

I. August 11, 2014, Agenda: *Approved*

A motion to approve the agenda was made by Chairman Jordan. The motions was seconded and unanimously carried.

II. May 5, 2014, Minutes: *Approved*

A motion to approve the minutes from May 5, 2014 was made by Member Bertagnolli. The motion was seconded and unanimously carried.

III. PUBLIC COMMENTS:

No public comments were made at this meeting.

IV. INFORMATION ITEMS:

A. Introduction of New Committee Members

1. Chairman Jordan introduced Member Cellini, Trade/Construction, and Member Ferguson, Trade/Construction.

- a. Resumes for each new member were provided in the handout packet to each member.

B. Review of Measure Q Bond, Performance Audit Language

1. Member Charboneau had several questions regarding the language used by the auditors in the 2014 financial and performance bond audit.
2. Member Charboneau noted that the Facilities Master Plan was not available until *recently* yet the resolution states a Facilities Master Plan was available in August 2013.

- a. Member Charboneau requests a copy of the 2012 Facilities Master Plan in order to confirm its existence.

- Mr. Sata will check the bond program files for a copy of the 2012 Facilities Master Plan to provide to Member Charboneau.

- b. Mr. Casnocha stated that the 2012 Facilities Master Plan is not relevant to the CBOC responsibilities prime responsibility, which is to review bond expenditures to confirm that they match the bond language.

C. Roles and Responsibilities of the Committee

1. Review Bond Expenditures

- a. Mr. Casnocha stated that per the State legislature the primary function of a bond oversight committee is to review bond expenditures in a non-advisory capacity.

- When reviewing salaries the committee should employ the “but for” test. (Ex. “But for” the bond an employee would not be employed)
 - Salaries are not prohibited as a bond expenditure

2. Inform Public About Expenditures of Bond Proceeds

- a. After annual audit the committee is to produce a written report.

- Report is posted on Bond Measure website
- A letter to the editor for the local newspapers about the publication of the report should be produced.
- The bylaws state that committee chair is the voice of the committee and should publically represent the majority opinion of the committee.

- b. Distribution of the Annual Report

- SCCD can elect to use general fund money to distribute the annual report to a wider public. The CBOC committee can request this.
- Posting the annual report to the website is option for public distribution.
- Member Jordan asked is notification of the reports publication could be satisfied through use of the Bond Report newsletter.

- Mr. Sata replied that yes, this option can be used to satisfy public notification.
- Member Jordan suggested that a full copy of the annual report be posted to the District website and that hard copies be made available in local libraries.
- c. Member Attendance Requirements
 - Mr. Casnocha stated that Section 5.6 of the State requirements states the absences are permitted with “reasonable excuse.”
 - Mr. Sata made note that the District chose to have a nine (9) member committee, while the State requires a committee only have seven (7) members.
 - Mr. Casnocha stated the there are five (5) core members – two (2) or four (4) at-large members and one student member.
 - The Governing Board sub-committee added two (2) Construction and Trade members
 - Mr. Casnocha noted that, per the vacant position on the committee, as long as a “good faith” effort is being made to fill the vacancies (i.e. posting a notice, newspaper/newsletter advertisement, etc.) then the District is in compliance.
 - Member Jordan asked about efforts being made to fill the Associated Solano Student Council position on the committee. He suggested that a notice be included in the Bond Report Newsletter.
 - Mr. Sata stated that students are invited to meetings but have not attended.
 - Mr. Charboneau stated that a notice should be included in the campus student paper.
 - Member Sunga suggested that an inquiry should be made of the Board of Trustees Student Representative on what actions could be taken to encourage student interest/participation in the committee.
 - Member Jordan requested that the CBOC Member sign-in sheet reflect that the student member position is vacant.
 - Member Ferguson noted that the Student Government member may have interest.

V. ITEMS FOR COMMITTEE CONCURRENCE

A. Measure G Quarterly Report

Presenter – Ines Zildzic, Program Manager, Kitchell CEM

1. This Quarterly Report covers financials through the end of third quarter (03/31/14). It includes projects in progress, a note about future planned projects, a financial summary, completed projects and a master program schedule section. The following is a summary of report highlights made to the Committee regarding projects in progress:
2. Building 600
 - a. Project Status
 - This building is scheduled to be completed by December 2014.
 - 90 Days FF&E Selection
 - January move-in
 - b. Member Ferguson asked if Building 600 is on budget.
 - Ms. Zildzic replied that, yes the project is on budget and continues to move forward.
3. Vacaville Center Parking Lot Extension

4. Building 202/200 Child Development Center
5. Building 1100 Portables Demolition
 - a. There is no update for this project. It remains connected to State-funded Library Building Renovation project.
6. Building 1200 Theater Building Renovation
7. Comments:
 - a. Member Sunga asked what the remaining balance of the Measure G fund.
 - Ms. Zildzic stated that Mr. Sata has projects in mind for the remaining balance of Measure G funds.
 - Mr. Sata states that building 600 will likely deplete the fund, but if not, the surplus would be spent on small projects – with the approval of the Governing Board.
 - b. Member Jordan asked how much of Measure G expenditures the committee needs to be aware of per their oversight responsibilities.
 - Ms. Zildzic stated that the Swing Space (360 Campus Lane) soft cost (i.e. fees, etc.) and the 5-7% construction cost.
 - Mr. Sata stated that the Quarterly Report (31March) reflects the current numbers.
 - Ms. Zildzic added that the next Quarterly Report would show larger expenditures.
 - c. Member Jordan asked if the District required any input from the committee.
 - Mr. Sata requested that the committee ask questions regarding the expenditure of Measure G funds.

B. Measure Q Quarterly Report

Presenter– Ines Zildzic, Program Manager, Kitchell CEM

1. Comments:
 - a. Mr. Sata noted that the State-funding is an effective way to “leverage” District bond funds and a win for the District.
 - b. Member Jordan requested that a USB drive for member with reports on them be provided ahead of each meeting instead of printed copies.
 - Mr. Sata suggested posting the reports on the webpage.
 - c. Member Charboneau requested to receive an e-mailed copy of the reports and a printed copy without pictures.
 - d. Member Jordan asked that no hard copies of the reports be provided to the committee and that they only be produced for placement in public areas for distribution.
 - Mr. Sata suggested that for the next meeting the reports be presented electronically, in a Power Point presentation. A draft copy of the presentation can be provided to the committee if requested.

VI. MEMBER COMMENTS

- A.** Member Charboneau recommended that the committee meet more than quarterly.
 1. Mr. Sata stated that this item was previously discussed at the 5 May meeting and the committee recommended continuing to meet quarterly.
- B.** Mr. Sata stated that tours of the center sights can be arranged for the Committee Members.
 1. Member Ferguson asked how to set up the facility tours
 - a. Mr. Sata replied that all the committee members have to do is let the committee staff know ahead of time and a tour can be arranged. Request should be made to Camille James.

- C. Member Quinn asked if Kitchell is tracking the bond expenditures appropriately.
 - a. Ms. Zildzic replied the Kitchell does real time tracking of all expenditures. It is tradition that the Committee review expenditures on a quarterly basis.
- D. Mr. Quinn asked if Kitchell would feel comfortable reporting to the committee on “up-to-date” issues.
 - a. Ms. Zildzic replied that Kitchell will change the reports to reflect current issues. A new format will be unveiled in the next bond report.
- E. Mr. Sata suggested that a “study session” be held on the “real time” project budgets for the committee members.
 - a. Member Bertagnolli reminded the committee of his request to have a “dash board” for any issues per project.
 - b. Mr. Sata stated that the request was not forgotten and will be included in the revised format of the next report.
- F. Member Charboneau requested to see the total expenditure on any one particular project.
 - a. Ms. Zildzic replied that Kitchell supply a report with the total expenditure of any particular project, as requested.
- G. Member Sunga asked what the District is considering for the Vallejo properties it purchased.
 - a. Mr. Sata replied that there will be a “green zone” buffer, a possible physical education facility, and two (2) buildings.
- H. Member Ferguson asked about the Vacaville airport project.
 - a. Mr. Sata replied that the airport project is the Jimmy Doolittle Project
- I. Member Sunga asked if the aerospace program would relocate to IKON facility.
 - a. Mr. Sata replied that is not in the plans at this time.
- J. Member Jordan asked of the \$348 million for Measure Q, how much, if any, was spent professional service costs, including bond set up?
 - a. The professional services category is where those numbers can be found and a separate break out can be provided for specific costs.
- K. Member Ferguson asked for the number of projects starting in the near future.
 - a. Mr. Sata replied that five (5) projects: Automotive Technology building, Biotechnology building, Vacaville Annex, Fairfield Science Building, and the Building 1300 Theater Renovation are all starting or have started design.
- L. Member Ferguson asked when these projects will commence.
 - a. Ms. Zildzic stated that the architect pools were completed on 10 August, so the projects will begin to move forward in the next couple of months.
- M. Member Charboneau asked about the depreciation of furniture – minimum life.
 - a. Mr. Sata stated that this is addressed in the District’s design standards and a FFE consultant is being hired to assist the District in management of FFE procurement and design.
- N. Ms. Zildzic stated that Kitchell works closely with Roger Clague, Chief Technology Officer on performance specification and to ensure funds are spent wisely.
- O. Member Jordan requested clarification on the parameters of the next Governing Board meeting.
 - a. Mr. Sata stated that next meeting will be a “study session.”
 - b. Ms. Zildzic stated that the Quarterly Reports can be presented in a Power Point presentation format if requested.
- P. Member Charboneau requested that he be provided with a copy of the Facilities Master Plan (FMP) that was referred to in August 2012.
- Q. Member Charboneau also requested that during the next meeting there be time to discuss on what the committee’s real purpose is.

VII. FUTURE MEETINGS:

- A. The next scheduled meeting will be on Monday, November 11, 2014 [revised to December 1, 2014 due to lack of quorum on November 11]

VIII. ADJOURNMENT

Member Charboneau motioned for adjournment, motion was seconded. Chairman Jordan gaveled the meeting adjournment at 7:15 pm.

IX. ATTACHMENTS

1. FOOTHILL-DE ANZA COMMUNITY COLLEGE DISTRICT, Plaintiff,
Cross-defendant and Respondent, v. MELVIN L. EMERICH et al., Defendants,
Cross-complainants and Appellants.

UNADOPTED