



MEETING MINUTES #1

LOCATION: San Diego Community College District, Room 245
MEETING DATE: March 3, 2003
MEETING TIME: 4:00 pm

Attendees/Distribution:

Committee Members

Thomas N. Fat
George Walker Smith
Barry I. Newman
Vincent Nicolais
Roberta Spoon
Jim Ryan
Christopher Pearson
Walter Heiberg
Evonne Schulze
Federico Castro
Ronald Saathoff

Catherine Clarke Stoll
Kimbrally Zillgitt Gibbens

SDCCD Staff

Augie Gallego
Damon Schamu
Raylan Bulow
Nadeem Shafi

Gafcon - COC Consultant

Larry Goshorn
Diane Eggleston

NOTE: Names **in bold** indicate those present at meeting.

PREPARED BY: Diane Eggleston, Gafcon, Inc.
619/231-6100, ext. 209

The recipients of these notes are asked to inform the writer of any errors and/or omissions. Otherwise, these notes will be presumed correct as written. All participants at the meeting are asked to take down notes and take action on items discussed at the meeting.

Information received regarding meeting minute corrections will be filed with meeting minutes and will be considered record documents.

AGENDA ITEM / MINUTES	ACTION
<p>1. Roll Call and Introductions</p> <p>Evonne Schulze (Chair) called meeting to order at 4:00 pm. Introduced and welcomed COC Committee Members, Gafcon Consultants, Board Members, and Campus Presidents. Roll was called and recorded by Diane Eggleston. Reverend George Walker Smith was absent. Federico Castor and Jim Ryan were not present during roll call and had informed the Chair that they might be late; both arrived prior to the first action.</p>	<p>Mr. Newman noted an error in the mail label for the San Diego County Tax Payers Association and requested that it be corrected.</p>
<p>2. San Diego Community College District Overview</p> <p>Chancellor Augie Gallego gave brief overview of the district noting that the SDCCD campuses and CET (Centers for Education and Technology) serve about 100,000 local students and another 35,000 remote students.</p>	<p>None</p>
<p>3. Citizens' Oversight Committee Overview</p> <p>Damon Schamu introduced SDCCD staff members involved in bond measure and COC support: Nadeem Shafi, Raylan Bulow and Bryan Adams.</p> <p>Damon Schamu briefly reviewed contents of distributed COC Handbook and discussed the following roles and responsibilities of the COC set forth in the Bylaws:</p> <ol style="list-style-type: none"> 1- Inform public of expenditure of bond proceeds. 2- Review expenditures, including annual audit and performance audits, to ensure bond funds expended only for purposes set forth in the ballot measure, and no bond proceeds are used for teacher or administrative salaries. 3- Present an Annual written report, to the Board of Trustees. 4- Inspect college and center facilities, to ensure bond funds expended only for purposes set forth in the ballot measure. 5- Review the Scheduled Maintenance 5-year plan. 6- Review District efforts to maximize the benefit of bond proceeds. <p>Barry Newman, expressed concern that the Board adopted COC Bylaws do not reflect Board Resolution No. 1, 7/24/02 in that the Resolution requires added COC duties not reflected in the Bylaws. Mr. Newman referred to Section 3(h) on page 3 of the Resolution regarding COC oversight of the deferred maintenance plan, and Section 3(i) on page 3 of the Resolution regarding reporting of potential Joint Use implementation.</p> <p>A discussion followed and Evonne Schulze established an Ad-Hoc Committee to further review the Bylaws and Resolution and report back to the COC by the next regular meeting. The Ad-Hoc Meeting was tentatively scheduled for March 13 or 14, at 4:00 pm. Ralph Shadwell, Counsel to SDCCD, will attend at the Ad-Hoc Meeting.</p> <p>COC Ad-Hoc Committee Members include: Evonne Schulze, Ron Saathoff, Walter</p>	<p>Mr. Newman to provide Ad-Hoc Committee with listing of concerns, discrepancies and inconsistencies within Bylaws and Resolution.</p> <p>Mr. Schamu to confirm Ad-Hoc meeting with all appropriate parties.</p> <p>Gafcon to provide source documents implementing Proposition 39 including Ed Code Sections 15254- 15302.</p> <p>Ad-Hoc Committee to present findings to the COC members at the next regular meeting.</p>

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<p>Heiberg, Barry Newman and Jim Ryan. Prior to Ad-Hoc Meeting, Gafcon is to provide COC members with the source documents that implement Proposition 39.</p>	
<p>4. Proposition S Overview</p> <p>Damon Schamu explained that Proposition S was developed using a shared governance model that includes all elements of District faculty and staff, including the in-house staff responsible for maintenance and operation of new or renovated facilities. Budget estimates were based on standards for community colleges and include furniture and equipment in addition to building systems and infrastructure. No teacher or administration dollars will be expended through Proposition S. There will be annual financial audits and annual performance audits of Proposition S. Proposition S also committed that no new facility would be built until it can be shown that the facility can be supported.</p> <p>Mr. Schamu stated that joint use facilities would be incorporated into projects where appropriate. SDCCD has established a history of incorporating joint use into campus facilities as indicated by the recently completed City of San Diego Hour Glass Field Community Park P.E. Facility. This successful program shares the cost of construction, utilities, maintenance and operations with the City Park and Recreation Department. The District also has joint use agreements with SDUSD. The District also makes facilities available to other organizations through the Civic Center Act.</p> <p>Mr. Schamu distributed and explained the "Debt Service Schedule". The documents were reviewed by COC and discussions followed. After several questions the COC requested that District Bond Counsel attend next regular meeting to provide a further explanation of the estimated bond debt service schedule and possible alternatives.</p> <p>In an effort to retain qualified contractors and as required by board resolution the District is developing a pre-qualification package for contractors. Jim Ryan with the Association of General Contractors (AGC) is assisting in this effort.</p> <p>The District will be implementing a certified Labor and Prevailing Wage Monitoring in accord with the requirements of Proposition 47.</p> <p>Tom Fat expressed concern with possible cost overruns during construction. Damon Schamu responded by stating that budget estimates include amounts for escalation and contingencies. Federico Castro asked how COC members were protected against any possible liability relating to construction overruns or other potential problems in the construction program. SDCCD Staff to research and present findings at the next regular meeting.</p> <p>Walter Heiberg posed the question: Who will hire Annual Report Financial Auditor? Damon Schamu responded that the District would retain a consultant to prepare audits</p>	<p>COC requested a presentation at the next regular meeting from the District Underwriter on the bond debt service schedule and possible alternatives.</p> <p>SDCCD Staff to research and present findings at the next regular meeting regarding how COC members were protected against any possible liability relating to construction overruns or other potential problems in the construction program.</p>

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<p>for review by COC and submission to the Board. Barry Newman referred to discrepancies in the Bylaws and requested that SDCCD staff clearly identify COC responsibilities.</p> <p>Catherine Stoll expressed interest regarding the financial reporting and percent complete on all projects. Damon Schamu stated the retained construction manager for each project will be responsible for reporting percent complete to the COC.</p>	
<p>5. Review and Acceptance of Proposition S Project Scopes</p> <p>Damon Schamu explained the Architectural Master Plan process in prioritizing list of Proposition S Projects. Mr. Schamu stated that Building S (Project 0303.01) is a three-year process due to environmental and land acquisition. Complete build-out of Proposition S is expected to be a 15-20 year process. Mr. Schamu reviewed proposed projects and requested COC to accept the list of 18 Proposition S projects. Acceptance of the project list will initiate recommendations for Board approval to proceed with bond sales and begin the project budgetary process.</p> <p>Federico Castro moved to accept the list of 18 prioritized projects, source document 0303.01 to 0303.18, dated March 3, 2003, Section 6 of COC Handbook. Christopher Pearson seconded the motion. Barry Newman moved to delay the motion until discrepancies within Bylaws and Resolution could be resolved. After discussion Mr. Newman's motion was denied, as there was an active motion on the floor.</p> <p>Due to a possible conflict of interest, Tom Fat indicated he wished to abstain from voting on the Mid-City project, number 0303.12 and requested a split vote that separated out this project. After discussion it was agreed to do so.</p> <p>Acceptance of projects descriptions excluding the Mid-City project: 9-YES, 1-NO (Mr. Newman)</p> <p>Acceptance of the Mid-City project description: 8-YES. 1-NO (Mr. Newman), and 1-Abstention (Mr. Fat).</p>	<p>Approved Motion: The COC accepted the list of 18 Proposition S projects.</p>
<p>6. Public Testimony</p> <p>Kristin Tow presented testimony requesting that the COC adopt a Green Building program. Ms. Tow quoted facts and figures from her research that demonstrated reduced energy costs in sustainable buildings, and identified design, grant and incentive programs for environmental and energy cost saving methods.</p> <p>A brief discussion followed. Ms. Tow was requested to send a copy of her research and testimonial to the COC. The COC recommended that she present her testimony to the Board for consideration.</p>	<p>Approved Motion: The COC added "Green Building" programs to the next COC meeting agenda.</p>

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<p>COC moved that the "Green Building" program be added to the agenda of the next regular meeting. The motion was seconded.</p> <p>Add "Green Building" program to next agenda: Unanimous-YES</p>	
<p>7. Adjournment</p> <p>Evonne Schulze adjourned COC meeting. Next regular meeting scheduled for May 12, 2003, 4:00 pm. at the San Diego Community College District offices.</p>	<p>Next regular meeting of the COC is scheduled for May 12, 2003, 4:00 pm. at the San Diego Community College District Offices.</p>