

MEASURE D CITIZEN'S OVERSIGHT COMMITTEE
August 24, 2004 Minutes
Cabrillo College Sesnon House

REGULAR MEETING

The first meeting of the Measure D Citizen's Oversight Committee was held at the Sesnon House, 6500 Soquel Drive, Aptos, CA on Tuesday August 24, 2004. President Brian King opened the session at 10:00 am.

ROLL CALL

Members present were Jack Baskin (At Large), Rodney Brooks (At Large), Harriet Duzet (Senior Citizen), Tila Guerrero (College Support Organization), Chloe La Fortune (Student), Kris Reyes (Business), and Luis Tuosto (Tax Payer Association).

Cabrillo College staff members in attendance were Brian King, Claire Biancalana, Pegi Ard, Dave Rowan, and Doug Deaver

David Casnocha, bond counsel from Stradling, Yocca, Carlson, & Rauth also attended.

INTRODUCTIONS

The attendees introduced themselves and gave a brief summary of their background and interest in serving on the committee:

Jack Baskin is an engineer, builder, and donor to the college.

Chloe La Fortune is a 3rd year Cabrillo student with an emphasis in business.

Kris Reyes was the campaign manager for the Measure D bond campaign, and his family has all taken classes at Cabrillo.

Tila Guerrero was a student at the Watsonville Center, and is currently a member of the Cabrillo College Foundation Board.

David Casnocha is a municipal bond attorney and property owner in Ben Lomond.

Rodney Brooks is a long-term resident of Watsonville and a former student at Cabrillo.

Harriet Duzet is involved in Life Long Learners and has attended many performances at Cabrillo.

Luis Tuosto is a 30 year resident of this area, and he, his wife, and all 3 of his children have attended classes at Cabrillo. He is currently a member of the Governing Board at Soquel School District and has served on the bond oversight committee there.

AGENDA MODIFICATIONS

No agenda modifications were proposed.

OVERVIEW OF ROLES AND RESPONSIBILITIES OF THE COMMITTEE

David Casnocha provided a brief summary of the roles and responsibilities of the Committee. Some of the major points presented were:

Proposition 39 mandates the establishment of an oversight committee and defines the roles of the members. The Governing Board must approve the Committee and by-laws. The by-laws define the purposes and duties of the Committee.

The Committee does not have independent legal capacity from the District. The Committee is “advisory” only.

The Committee shall confine itself specifically to bond proceeds generated under Measure D. Regular and deferred maintenance projects and all monies generated under other sources shall fall outside the scope of the Committee review.

The Committee does not have the right to approve expenditures in advance; however, the committee does have the right to review expenditures after they are made.

The Committee has the right to expect that the District provide a plan as to how the bond money will be spent. Note that the District presents monthly a report to the Board regarding the status of facilities projects including Measure D projects, and the District provides to the Board twice per year an entire update of the Facilities Master Plan, highlighting any changes and new projects. Any questions regarding projects should be funneled through Dave Rowan, Facilities Director, or Pegi Ard, Vice President, Business Services.

The Committee has the responsibility to review expenditures to insure that the money is being spent as defined in the 75 word statement in the voters ballot statement, and that no bond proceeds have been used for any teacher or administrative salaries or other operating expenses. The spending must be on projects included in the master plan. The voters ballot statement is not a contractual obligation with voters on each bullet in ballot language, but must be consistent with the master plan.

The Committee has the duty to inform the public; the law wants the Committee to tell the community whether the District is doing a good job or not. The law doesn’t dictate how the communication needs to occur; this is up to the Committee members. Possible methods include newsletters, letters to the editor, appearance at Board meetings, etc. The District does have the obligation to post a website for the committee. This site needs to show meeting schedules of times and dates and names of committee members. NOTE: this site is under construction currently at web address <http://www.cabrillo.edu/internal/facilities/measured/index.html>.

The Committee has the responsibility to present to the Board, in public session, an annual written report which shall include a) a statement indicating whether the District is in compliance with California law as defined in the bylaws, and b) a summary of the Committee’s proceedings and activities for the preceding year. The District will provide a sample annual report format for the next meeting.

The Committee does not have the right to select an architect or contractor, or to stop any project.

The Committee shall automatically terminate and disband at the earlier of the date when a) all bond proceeds are spent, or b) all projects funded by bond proceeds are completed.

The Committee is required to abide by the Brown Act. A summary document of the Brown Act was handed out at the meeting. Therefore, all committee meetings are open to the public and must be announced in advance. Serial meetings are prohibited, and a “quorum” meeting is prohibited that is not public.

APPOINTMENT OF CHAIR

Brian King appointed Kris Reyes to be Chair of the Committee.

ELECTION OF VICE CHAIR

Tila Guerrero was unanimously elected to be Vice Chair.

SELECTION OF 1 AND 2 YEAR TERMS

Pegi Ard noted that the Committee bylaws stipulate that the initial chair shall serve a two-year term and the other members will draw lots to select three members to serve for an initial one-year term and the remaining members for an initial two-year term. Names were drawn at random, and the following terms were assigned:

Jack Baskin	2 year
Rodney Brooks	2 year
Harriet Duzet	1 year
Tila Guerrero	1 year
Chloe La Fortune	1 year
Kris Reyes	2 year
Luis Tuosto	2 year

OVERVIEW OF PROJECTS AND MASTER PLAN

Dave Rowan handed out a listing of Measure D Facilities Master Plan Projects and a listing of Measure D Remaining and Future Projects. The Committee made no comments at this time.

COMMENTS FROM THE PUBLIC

There were no public comments.

ESTABLISH A MEETING SCHEDULE

The Committee agreed to meet quarterly with the next meeting being Tuesday December 14th from 3 pm – 5 pm at the Sesnon House. The agenda will include:

- Tour facilities and project sites
- Review a sample annual report
- Approve web site design

Future meetings are scheduled on Tuesday March 8, 2005 from 3 pm-5 pm and Tuesday June 14, 2005 from 3 pm-5 pm. The June agenda will include the annual report so that it can be presented at the August 2005 Governing Board Meeting.

ADJOURNMENT

Kris Reyes adjourned the meeting at 11:45.