



**MEASURE D CITIZEN'S OVERSIGHT COMMITTEE**

November 13, 2006

Minutes

The meeting of the Measure D Citizen's Oversight Committee was held at the Sesnon House, 6500 Soquel Drive, Aptos, CA on Monday November 13, 2006.

Present: Rodney Brooks, Tila Guerrero, Bob Peterson, Kris Reyes, Lou Tuosto

Absent: Harriet Duzet, Mike Siegel

Guests: David Casnocha

Cabrillo College staff members in attendance: Pegi Ard, Doug Deaver, Brian King

Visitor: Armand Langmo

Kris called the meeting to order at 10:02 am.

I. Introductions

Bob Petersen, the new At Large member, introduced himself to the committee.

II. Agenda Modifications

None.

III. Approval of Minutes

Due to a lack of quorum, the approval of minutes from August 8, 2006 was postponed until the next meeting.

IV. Role and Responsibilities of the Committee--Bond Legal Counsel, David Casnocha

David Casnocha reviewed the roles and responsibilities of the committee. In March, 2004, Measure D passed with a 55% voter approval under Proposition 39. One requirement of a 55% voter approval under Proposition 39 bond is that bond expenditures have oversight by means of a selected committee.

The Citizens' Oversight Committee is a seven member advisory committee to the college Board of Trustees. The committee is comprised of members in 5 categories and 2 "at large" members.

The three main directives of the committee are to:

1. Review the expenditures of Measure D funds and to ensure that the bond proceeds are spent on voter approved projects, and that the funds are not used to cover instructor or administrative salaries, other than as allowed by the Attorney General opinion discussed below;
2. Inform the public regarding the committee review of the bond expenditures; and
3. Publish an annual report that summarizes Measure D fund expenditures.

The functions of the committee are defined by the California Education Code, not the Board of Trustees of the college. The bylaws, adopted by the Board of Trustees, reflect the requirements of the Education Code. Each member is provided a binder of information that includes the bylaws, the election order, and other relevant information.

David reminded the committee that their charge is to review only Measure D bond expenditures. On projects that have other cash sources in addition to Measure D funds, such as Measure C bond funds, state funds, and Redevelopment Agency funds, the committee is responsible to review only those expenditures directly related to Measure D. The Attorney General has released an interpretive opinion which allows for the use of bond funds to cover salaries for District employees whose work is directly related to the use of capital construction projects.

David also highlighted the following points:

- If the committee feels it has not received enough information, a suitable procedure would be to ask staff (Pegi Ard or Doug Deaver) for more information. If that is not satisfactory, it would be appropriate to ask the president, Brian King, for more information. As a last resort, the committee, thru the chair, may appear before the college Board of Trustees.
- Exhibit B of the Election Order is the full text ballot proposition and lists Facility Master Plan projects. The state law does not give the committee the ability to approve or deny projects. Its obligation is to inform the public of its findings of Measure D expenditures. The committee has the right to receive documents submitted to the Board but not to direct staff to prepare new reports. (However, public agencies are generally responsive to public opinion with regards to providing requested information). Members can communicate to the Board directly regarding opinions, and these opinions will be recorded in the public record. In the spirit of shared governance, David recommended that the preferred process would be to address the staff, the president, then the Board if a view or concern isn't being addressed adequately.
- The bylaws suggest certain activities that the committee may engage in, such as touring the campus construction projects as is planned today, reviewing deferred maintenance plans, state matching funds applications, and efforts to maximize bond proceeds by enacting cost saving measures.

To date, the committee has published two Annual Reports. The agendas, minutes, monthly Board Facilities Master Plan Update, Annual Reports, and 2004-05 Measure D audit are all available on the college website. The 2005-06 audit is scheduled to be completed in December.

VI. Project Status Update—Doug Deaver

Doug distributed a report from FUSION, the Chancellor's Office sponsored Facilities Planning website for community colleges, detailing construction project funding for the Health and Wellness Center and Building 300. With the passage of Prop 1D, the state will provide \$11,675,000 in funding for preliminary plans, working drawings, construction and equipment, bringing the total project budget to \$23,362,000. Likewise, Prop 1D funding also will provide for \$3,098,000 for the renovation of Building 300, which currently houses the Visual Arts classrooms. The monthly Board Facilities Master Plan Update will reflect the new budget amounts for these projects.

Doug reviewed the Facilities Master Plan update that went to the Board November 6, 2006:

- The Allied Health Parking is nearly complete and within \$131,588 of budget.
- The Student Activities Center has \$510,695 budget remaining.
- The Arts Education Classrooms has \$1,012,727 budget remaining

Doug also distributed another budget worksheet that shows progress of Measure D funded projects in other categories which include:

- Campus wide signage
- Stadium bathroom remodel
- ADA doors and accessibility in Building 900
- Allied Health Parking emergency phones
- ADA stadium seating
- Building 300 remodel
- Building 200 remodel
- Building 2100 upgrade
- Secondary effects of Allied Health move
- Smart classrooms construction
- AEC equipment
- Allied Health equipment
- Building 300 equipment upgrades
- Building 2100 furniture
- Allied Health parking machines

The meeting was adjourned by Kris Reyes at 10:57 a.m. A tour of the Student Activities Center project followed the meeting.

The next meeting will be Tuesday, February 13, 2007 at 10:00 a.m. in room 804A.