The meeting of the Measure D Citizens’ Oversight Committee was held at, 6500 Soquel Drive, room 804, Aptos, CA on Thursday, October 6, 2011 at 9:00 am.

Present: Kathy Blackwood, David Casnocha, bond counsel, Bob Dills, Sharon Gray, John Fry

Staff: Paul Anderson, Victoria Lewis, Joe Nugent

Absent: Michael Bethke, Blaine Brokaw, Oleksii Chuiko

John called the meeting to order at 9:10.

I. Introductions.

II. Agenda Modifications: None.

III. Comments from the Public: None.

IV. Minutes:

The minutes of April 28, 2011 were approved (Blackwood/Dills) with the following amendments:

- Page 2: “. . . redesigned due to prior conditions not addressed during the original design.”

The format of the Facilities Master Plan (FMP) update and a second fiscal report of exclusively Measure D fund expenditures were discussed. It was noted that staff anticipated changing the format of the FMP report in July. Staff will reformat the FMP semi-annual update (submitted to the board September 12, 2011 for expenditures through June 30, 2011) and will make every effort to use the new format in starting with the December FMP update.

V. David Casnocha, Bond Legal Counsel:

David reviewed the responsibilities of the Citizens’ Oversight Committee and the recently revised committee bylaws. He noted that nothing in the law has changed.

Summary of revisions to bylaws:
- Clarifies the role of the committee and areas over which the committee has no jurisdiction;
• Specifies that all official communications to the Board shall come from the chair acting on behalf of the committee and shall reflect consensus view of the committee;
• Specifies committee termination as of date final written annual report has been submitted to the Governing Board;
• Notes Attorney General Opinion 04-110 issued November 9, 2004 permitting Measure D funds to be used for District employee salaries if directly related to administering a bond project;
• Notes that committee members do not need to file a Form 700 Conflict of Interest with the California Fair Political Practices Commission;
• Permits members to serve beyond their term limits until replacement member is appointed;
• Limits frequency of regular committee meetings to four per year.

David reviewed the ballot measure and noted that not every bullet point will be a funded project but the type of projects listed are appropriate. He encouraged the new members to review the annual reports, audits and other information on the website, inspect the grounds, and contribute any new ideas of how to best inform the public of Measure D expenditures.

Termination of committee service: The committee cannot disband until the last report is issued, which may be two to three years from now. If funds are expended in October, for example, the final audit report can be for a 15 month timeframe. It was noted that this is when the committee may invoke the provision to maintain current members. When committee is satisfied that the project expenditures are legitimate, they may issue a final report and conclude their service.

VI. 2010-11 Annual Report and Audit Timeline
The draft audit and annual report will be emailed to the committee in December and the auditor will attend February, 9, 2012 meeting.

VIII. Project Status Updates:
The larger projects are coming to a close; secondary effects remain to be completed. The District was awarded a Title III STEM grant which begins October, 2011 and will give the District an opportunity to leverage bond funds with federal funds. Building 800 will become the STEM building and all current offices and programs will move out except for Disabled Students Program and Services (DSPS). Staff is working on a space plan with the goal of construction/demolition to begin in June. Bob asked if this project will be submitted to the Department of the State Architect (DSA) as all other projects. Yes, office space will become classrooms but DSA is only concerned with construction, not demolition. The grant does not cover the full cost of the project, but the federal funds will be used for the building remodel and bond funds for the secondary effects of moving programs and offices. John asked to see the details of the grant budget.

The final Arts Education Complex (AEC) claim settlement will determine what funds are available for space reallocation and renovation. Staff will report on the status of available funds at next meeting. Bob asked why secondary effects are tied to the grant rather than bond projects. Secondary effects are tied to the bond project because space was made available when the VAPA and Allied Health programs moved into their new facilities.
**Building 300 remodel:** The building is 100% complete and under budget. Staff anticipates DSA closeout to be complete in January or February. DSA is six to eight months behind in closing out projects.

**Allied Health:** The final touches to classrooms and ADA parking spots will be completed next week and the project will be submitted to DSA. The project is under budget. John asked that the text of the FMP update clarify construction funds vs. equipment funds.

**Green Technology Center (GTC)**
The finishes are being put on the building, paint and carpet will be done in November and the punch list items in December. The project is under budget. $600,000 is allocated for equipment because state equipment funds are not available. John asked if there is a price limit for the type of equipment purchased. It is at the discretion of management. There is inventory control, an equipment distribution room, and the equipment list is being finalized. Bob asked if the committee may review the proposed curriculum. Victoria will forward that to the committee.

**Arts Education Complex:**
Staff is in the process of developing a plan for final completion of the project and will report to the committee at the next meeting. John asked about aesthetics like the HVAC system on the roof. Staff is reviewing the list of potential repairs and developing criteria for what will be done.

**Action items:**
1. Send bylaws board item and reformatted FMP update to John Fry.
2. Send Green Technology curriculum to Bob Dills.
3. FMP Update: Clarify construction vs. equipment funds in the text.
4. Tour Green Technology Center on Thursday, 11/10/11 at 8:00 am.

VI. **Next meeting:** Thursday, February 9th at 9:00 am in room 804A.

The meeting adjourned at 10:28 am.