

OHLONE COMMUNITY COLLEGE DISTRICT
Citizens' Bond Oversight Committee Meeting
Fremont Campus, Room 7101
43600 Mission Boulevard, Fremont, CA 94539

Minutes of Citizens' Bond Oversight Committee
March 18, 2013

MEMBERS PRESENT: Bob Douglass, Brad Hatton, Hector Rastrullo, Rakesh Sharma, William Wahl, Frank Pirrone, Tawney Warren, Dennis Wolfe

MEMBERS ABSENT: Andrea Francis

OCCD STAFF PRESENT: Dr. Gari Browning, President/Superintendent
Ron Little, Vice President, Administrative Services
Arti Damani, Bond Accountant
Thomas Moore, Director of Facilities and Modernization
Alex Lebedeff, Director of Purchasing, Contracts, and Auxiliary Services
Kelly Abad, Assistant to the V.P., Administrative Services

GUESTS: Casey Michaelis, Gilbane/EIS, Measure G Bond Manager
Ann Kennedy, Gilbane/EIS, Measure G Bond Manager
Chris Wilson, Gilbane/EIS, Measure G Bond Manager

OPEN MEETING: The meeting was called to order by Bob Douglass at 6:04 p.m.

**COMMUNICATIONS
FROM THE AUDIENCE:** None

**COMMUNICATIONS
FROM THE COMMITTEE:** None

SCHEDULED ITEM

1. Approval of the Agenda

The agenda was approved as presented.

Moved / Sharma / **Seconded** / Pirrone / **All in favor**

2. Approval of the 01/14/13 minutes

The minutes were approved as presented.

Moved / Pirrone / **Seconded** / Hatton / **All in favor**

3. Committee Members' Attendance Report

The committee reviewed the attendance report for accuracy. This is for information only.
Andrea Francis was absent from this meeting.

4. Communications from Committee Members

Rakesh Sharma: Item #9 on the agenda is not in the supporting documents.

Kelly Abad: The reason for that is the committee received the documents at the last meeting.

5. Communications from Staff

No comments from Staff.

6. Communications from the Public

No comments from the Public.

7. Committee Members' Terms

Rakesh Sharma's term is up and he was asked to continue another term. Rakesh agreed.

Tawney Warren (absent from this portion of the meeting) will be appropriately honored and commended. The committee will have another student representative join the committee.

8. Proposed Meeting Schedule

Meeting dates proposed include:

Monday, September 16, 2013

Monday, December 16, 2013 OR Monday, January 13, 2014

Monday, March 17, 2014

Monday, June 16, 2014

Discussion on whether December 16th or January 13th works better for the committee took place.

Hector Rastrullo: Does this mean that we will have 6 months of financials in January versus 4 months of financials in December?

Ann Kennedy: It will be a quarterly report. Either date will have the same report.

The proposed dates were approved, including setting a January 13, 2014 meeting.

Moved / Pirrone / **Seconded** / Hatton / **All in favor**

9. District's Financial Audit

Ron Little discussed with the committee that this item was brought to the committee's January meeting for review. It was then approved at the Board of Trustees level the following Wednesday. It is being brought back tonight for the CBOC's final acceptance.

Bob Douglass: This seems a bit redundant, but it is the way it is laid out in the legislation. It is coming back to us the same exact way it came to us the first time. Nothing has changed.

Rakesh Sharma: The Board of Trustees gives the blessing and approves the audit. Then it comes back to us saying that it has been approved at their level. The CBOC then accepts the audit.

The 2011-2012 OCCD Financial Audit was accepted by the committee.

Moved / Sharma / **Seconded** / Pirrone / **All in favor**

10. Measure A Bond Financial Update

Ron Little went over the Measure A Second Quarter Financial Report with the committee. We are winding down with Measure A. We are closing out on project, which Thomas Moore will go over in his update. We are very close to closing out most, if not all projects. As of January, we have not expended anything further. We have a total of \$385,002.05 to work with. The interest revenue has been updated since January, but there are no expenditures to report.

Frank Pirrone: I have a question about interest. The report shows that interest income is equal to \$11,583,433.57, but the interest shows \$11,580,752.00. Why are these different numbers?

Ron Little: The numbers are not trued up yet. The interest income that came during the second quarter is unallocated at this point. The \$3000 of interest that we received is not in any project expenditure line.

Ann Kennedy: When interest comes into the bond, it is held in a holding bucket. It is earned and the District has received it, but it is not allocated in any project for the bond. We go to the Board of Trustees and recommend putting the unallocated interest income in Project X, Y and Z. Once the Board approves of the transfer, the interest earned matches the interest. We have to take any transfers of money to the Board of Trustees for approval.

Ron Little: Another way to explain is the budgets we have for the projects are expenditure budgets. The Board has not directed its use yet.

Frank Pirrone: Can we put a note on this so that we know why there is a difference?

Rakesh Sharma: Will this \$358K roll into Measure G?

Ann Kennedy: Technically it will not roll over but scope for Measure G will be assigned to the Measure A dollars. The monies have to stay in their separate pots.

Dennis Wolfe: Is it safe to say that there is more interest now than from our last meeting?

11. Measure A Bond Projects Update

Thomas Moore gave a Measure A Bond Projects Update. There are three Measure A projects:

- Building 16 Science Lab Modulars.
- Below Grade Water Intrusion Project
- Building 7 modifications

The only physical work is in Building 7, which consists of programming. It was delayed a bit because we have had to make repairs and upgrades to systems that are connected to the control system. We have small charges left for Building 16 and BGWI. Building 7 has expenditures left. We are very close to closing out.

12. Measure G Financial Update

Ann Kennedy gave an update of the Measure G Financials for the period ending 12/31/12.

William Wahl: Don't we have a problem here? It states "Oversight" (under Cost Status and Budget Group). Do we have a \$40 million budget?

Ann Kennedy: Is your concern with the actual word oversight?

William Wahl: Yes

Ann Kennedy: If the District is ok with it, we can take the word out or change the word.

Dennis Wolfe: Can we change it to peer review?

Ann Kennedy: The review can be internal or external. Can we change it to review?

Rakesh Sharma: Yes.

Bob Douglass: Does this include a broad spectrum of activities?

Ann Kennedy: Yes.

Brad Hatton: Can we change to planning review?

Ann Kennedy: Or just review?

Committee agreed to change the word oversight to review.

Hector Rastrullo: Is the Endowment Interest Earned for Measure G?

Ann Kennedy: The Endowment is Measure G, but a subset of Measure G. Those earnings are part of the Endowment.

Hector Rastrullo: Will this interest be distributed back to Measure G or to operating expenses?

Ann Kennedy: Those earnings get treated just like other Measure G funds, but the restrictions are to only use towards technology.

Our expenditures were approximately \$5.2 million for this period. We also recognize interest earnings for Quarter 1 in this period. Why are we looking at a quarter 2 report, but looking at quarter 1 earnings? We are always a quarter behind. We record earnings when we receive the actual earnings. The District does not have any bond list revisions that would impact these reports. We always bring the bond list revision to you as a separate report, but nothing occurred.

William Wahl: Regarding Project 6133 – Bird (Swallow) Environmental Alternatives. Isn't that a little heavy?

Ann Kennedy: The Board approved a project for bird remediation. Project 6133 is a holding bucket for those funds at this time. It can change, but would have to go to the Board of Trustees for approval.

Ann gave an update of the CBOC Quarterly Summary Report. The primary areas of activity are Planning and Assessment and Programming. There is a lot of information infrastructure going on right now.

Rakesh Sharma: While you're talking about technology, are we laying down infrastructure for the new buildings? There will be a lot of demolition of buildings on this campus.

Chris Wilson: You are asking the right question. There is a heavy expense on the information technology side. The District is putting in a SAN unit that would take care of the campus. There is a data center at Newark and Fremont. Before Building 4 gets demolished, we will move the SAN unit out of the building.

Project 6104 is the Site Utility Infrastructure Improvements project. This is for all sewer lines and duct banks to move out of the way of the center core of campus, but connect all those utilities to the campus system. That project had some activity this quarter to prepare to move in that direction. It is located on the bottom of page 2 in your report. Those were the key activities that have expenditures.

13. Measure G Bond Projects Update

Chris Wilson gave an update of some of the Measure G projects.

- Photovoltaic Energy System in Newark – this project was more difficult than we were hoping. The completion date is now August. The general contractor has replaced their steel subcontractor. They fired the contractor and are fabricating the new steel pieces. Three-quarters of the steel has been taken down and putting some back up now. Currently working on assessing damages due to delays in the project.

Rakesh Sharma: Is there a clause in the contract or a fine that has to be paid?

Chris Wilson: There are liquidated damages of \$1000 per calendar day. The general subcontractor is working with their subcontractor. What the general and sub work out is out of our purview. We have found that there is about \$5000 of savings per month that we are losing because of the winter time.

Bob Douglass: Do we withhold liquidated damages or do they write us a check?

Chris Wilson: We withhold payments and we withhold any stop notices until they are clear.

- Completed Quick Fix Projects:
 - Smith center sinking sidewalk
 - Replace broken floor boxes at Newark
 - Campus Sidewalk/Concrete Repairs/Removal of Tripping Hazards
 - Rewire amphitheater so outside electrical has GFI circuit protection
 - Remove and repair damaged roof tiles (Buildings 1, 5, 9)
 - Building 5 Roof Deck Repair
 - Building 16 Modular ventilation upgrades

- Ongoing / design underway
 - Loading dock safety railing at building 5
 - Gym press box safety hand railing protection
 - Upgraded fire alarm strobes in Building 6
 - Site signage updates
 - Entry door at Smith Center
 - Radio Station fencing repairs / Mission Peak
 - EMS Controls for HVAC in Building 9
 - Building 22 HVAC modifications
 - Replace fire alarm system in Building 22
 - Remove Eucalyptus trees due to safety hazard

Brad Hatton: Where are the Eucalyptus trees being removed?

Chris Wilson: Down in the parking lots. They are a safety hazard.

Dennis Wolfe: Why are they a safety hazard?

Thomas Moore: I have known of multiple instances where cars were damaged. Cars here have been damaged in the parking lots. The tree is meant to grow in Australia, but when they are planted in California they grow too quickly.

Rakesh Sharma: Are they a fire hazard?

Thomas Moore: They are very oily and when they burn, they burn very quickly.

Bob Douglass: Have you followed UCSF, where they want to take out hundreds of trees?

Thomas Moore: Removing trees can be a very emotional thing. We always back up the option of removing trees by the opinions of professionals. Sometimes there is nothing that you can do.

- Civil Infrastructure Project: A survey of the campus has been completed and we know where everything is. The design phase is underway.

- Academic Core Project: The last time you saw this graphic was with the District Facilities Master Plan layout. What is shown is the current thinking. Where new buildings and parking structure may be built was shown at a conceptual level. We are well into developing design standards. The central plant study tells us what the energy savings are for the campus. This may be a way to get to our net zero goal without covering the campus with PVs.

- Upcoming Procurement
 - Architect Selection
 - Master Landscape Architect
 - Athletic Field Designer
 - Design / Built Team
 - South Parking Structure

Rakesh Sharma: Will there be bike access closer to campus?

Chris Wilson: We haven't gotten to that level yet, but the Master Landscape Architect will include biking routes.

Rakesh Sharma: ADA is required by law, but bike routes are not?

Thomas Moore: With our campus wanting to have sustainable standards, we will have alternative options for travel, which will include electric vehicles, buses, bikes, etc.

14. Evaluation of current meeting

Bob Douglass went back to Item #5. Ron Little sent out an email to the Ohlone campus that discussed the Measure G work. It was a really good summary. Bob wants to make sure that staff has all of the committee's emails so that updates like these can be forwarded.

Bob Douglass: I want to thank Tawney Warren (she was present). She represents what this college is all about. What is next in your future?

Tawney Warren: I have applied at two universities for transfer. Cal State East Bay has sent a conditional acceptance. I'm still waiting to hear from UC Berkeley to see if I've been accepted to the Haas School of Business. I appreciate that you have given the opportunity to hear my voice. I have no worries for the next student trustee that will come in. The District has a great Citizens' Bond Oversight Committee and Board of Trustees to make sure that we're doing the right things for staff, faculty and students.

Rakesh Sharma: You were a blessing to us. I wish you all the best.

15. Topics for Next Meeting

- Tour of Newark Photovoltaic Project – The tour will be thirty minutes before the meeting. The meeting will be held in Newark.

William Wahl: If someone wants to contact us (the committee), there is no way to find contact information. We should have a formal channel for the public to contact the committee.

Ron Little: The CBOC has a website, Facebook and Twitter account. Maybe there should be a way to email the CBOC Chair.

William Wahl: I'm happy with what we have.

Patrice Birkedahl: Phone calls come to my office. I've never received a call regarding the CBOC.

Ron Little: I believe it's certainly appropriate to have an email link that goes directly to the Chair.

Dennis Wolfe: Could we add language such as, "for confidential communication click here" to email the Chair?

Bob Douglass: If I receive any communication, I would encourage that person to come to the next meeting.

Rakesh Sharma: I don't think you want to use the word confidential.

Ron Little: We can put an email link on the Committee Biography page under the Chair's name.

The committee approved this.

Bob Douglass adjourned the meeting at 7:06 p.m.