

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 26, 2012

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**MEMBERS PRESENT:** Bob Douglass, Kevin Feliciano, Brad Hatton, Hector Rastrullo, Rakesh Sharma, William Wahl, Andrea Francis, Frank Pirrone, Dennis Wolfe

**MEMBERS ABSENT:** none

**OCCD STAFF PRESENT:** Dr. Gari Browning, President/Superintendent  
Scott Thomason, Interim CBO, Administrative Services  
Joanne Schultz, Dean, Business Services  
Don Eichelberger, Interim Executive Director, Facilities  
Arti Damani, Bond Accountant  
Thomas Moore, Director of Facilities  
Kelly Abad, Assistant to the V.P., Administrative Services

**GUESTS:** Don Eichelberger, Stegeman & Kastner, Measure A Bond Manager  
Ann Kennedy, Gilbane/EIS, Measure G Bond Manager  
Chris Wilson, Gilbane/EIS, Measure G Bond Manager  
Tricia Heine, Gilbane/EIS, Measure G  
Tina Treis, Crowe Horwath, LLP

**OPEN MEETING:** The meeting was called to order by Rakesh Sharma at 6:02 p.m.

**COMMUNICATIONS  
FROM THE AUDIENCE:** None

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FROM THE COMMITTEE:** None

**SCHEDULED ITEM**

**1. Approval of the Agenda**

The agenda was approved a motion to move agenda item #10 before agenda item #2.

**Moved** / Feliciano / **Seconded** / Douglass / **All in favor**

**10. Acceptance of Independent Auditor's Report**

Tina Treis, from Crowe Horwath LLP, performed the District audit and performance audit for Bond Measure A, which was presented at the meeting. There are two ways to do an audit, either fairly narrow or fairly broad. This bond performance audit is fairly narrow.

The audit report shows the actual projects that were included and includes exactly what the audit firm did to meet the requirements of Prop 39. 250 transactions were identified to have taken place from July 1, 2010 through June 30, 2011. District personnel were interviewed. Controls that the District has in place were reviewed. A significant sample was taken of small and large expenditures. The results of the test indicated that, in all significant respects, Ohlone Community College District expended Measure A General Obligation Bond funds for the year ended June 30, 2011 only for the specific projects developed by the District's Governing Board and approved by the voters in accordance with the requirements of Proposition 39, as specified by Section 1(b)(3)(C) of Article XIII A of the California Constitution. From here, this information can be taken and put in the annual report.

The committee accepted the performance audit.

**Motion** / Feliciano / **Seconded** / Pirrone / **All in favor**

**2. Approval of the 12/12/11 minutes**

The minutes were approved with amendments. Rakesh Sharma stated that under "Scheduling upcoming meetings," the wording should change to "Should not be the same week as the spring break." On the front page, change from Citizens' Oversight Committee to Citizens' Bond Oversight Committee.

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

**3. Committee Members' Attendance Report**

Rakesh Sharma asked what the purpose of this report is. Kelly Abad stated that this report is a record of attendance so that the committee knows who is present at each meeting. All committee members were present.

**4. Recognition of Committee Members' Terms and Term Renewals**

Scott Thomason stated that the District wants to recognize that Kevin Feliciano is graduating and will be leaving the CBOC. He has served on the measure A and measure G Citizens' Bond Oversight Committee since April 2011 and will be graduating from Ohlone in May. We wish him well and would like to recognize his contributions with a plaque and thank him for his service.

Rakesh Sharma stated that he will personally miss Kevin. Kevin stated that he will miss the group as well. ASOC will be appointing a new CBOC member. The student trustee will be the member on the CBOC.

Scott Thomason stated that there are CBOC members whose terms will be ending in April 2011. The members include Dennis Wolfe, Frank Pirrone and Brad Hatton. The District is asking the three to consider staying on the committee for another term. This will become an agenda item on the April board meeting. Mr. Pirrone, Mr. Wolfe and Mr. Hatton have agreed to stay on the committee for another term.

**5. Measure A Financial Update**

Don Eichelberger gave a Measure A update by going over the second quarter bond fund page. The District is tracking a total of \$163,329,885. Components of the \$163M amount include the \$150M voter approved bond and \$11.5M in interest plus various grant funding. There is roughly \$500K of uncommitted bond funds remaining. Remaining funds of the bond will be tied to measure G. All records have been reconciled.

## **6. Measure A Bond Projects Update**

Don Eichelberger gave an overview of the Measure A Bond projects. He showed pictures of the Below Grade Water Intrusion project, particularly the building 9 elevator area, the area between buildings 5 and 6, and the pond area.

Items noted include:

- All infiltration trenches are installed.
- All wells are in place and commissioning is about to begin.
- Building 5 restrooms are complete.
- Other waterproofing is complete.
- The current work is located in building 9 and in the area of buildings 5 & 6.
- The project is billed 89% of approved contract amounts through February 2012.
- Physical work may be complete in April 2012, but there may be some punch list work beyond April.

Q: Is there an end date of when we'll spend all measure A money?

A: There is no end date. As the bond winds down, expenses will need to be closed out. Approved expenses will be moved from measure A to measure G. Actual funds will not move into measure G, but those projects are paid against measure A (budget/scope/expense move to G).

Don mentioned that there are some insurance activities going on, which will be in another report.

## **7. Measure G Financial Update**

Ann Kennedy went over the Measure G financial report with the committee. The report is in a format for the group to consider. She walked through it and would like to receive feedback. This report was reconciled as of 12/31/11. The report is a whole program report. It shows the bond authorization amount, which is what the voters authorized, and that number will stay constant. Interest earned will also be on the report and under that will be unallocated interest earned, which is only shown when there is money in it.

The interest on the bond program goes into a separate account and is only dispersed when it is approved by the board. After it is approved by the Board of Trustees, it becomes a part of the project budget. Past practice is that the interest remains intact until the end of the project.

The report will also show any State funding so that you can see the whole picture. The report will show what portion is state funded and what portion is bond funded. Sometimes there are grants or departmental funds. We bring them into the overall reports so that the committee can see the whole cost of the project. For bond accountability standards, this committee is only responsible for the bond funded accounts.

Q: Do we have someone working on the grant side of this?

A: From the project team, we're always working with the State component. The District does have a new Executive Director of the Foundation which will be working on the grants side. There are a lot of other people from the District that are working to get extra funding. The PG&E grant with the solar project is one example.

Ann discussed that each of these big boxes drills down deeper; this report is a bird's eye view. You can always go to your upper left hand corner to know where you started. We have a bond only chart on your left and a total funding on your right. The notes on the bottom will change over time and will always explain to you how the data is being defined.

The next page is the quarterly summary report ending 12/31/11. It is grouped by project phase; construction; board approved; and consolidated – if we take two projects and combine them. Blue categories on the left-hand side are major groupings to show you where the project is in the process. It also shows bond expenses to date, budget remaining, start and end date. This meeting happens quite a bit after a period has closed. That is not unusual, but rather typical. Reconciling records takes some time. There will always be a lag, but it may be hard to know that when you see projects in the field, it may not be reflected that way on the report. The legend at the bottom will change overtime.

The last project on the last page – 9990 – Contingency / Measure G project List subtotal: The pot will change and the percentage, currently 26%, will likely and should go down. As that adjusts, it will become a clearer area and that number will go down once you get farther into the planning process.

Q: On your memo it shows that roof repairs came to \$17K, but you budget on the draft report is for 26K? Is that just a draft to cover the bid for the build?

A: Part of the answer is that we are combining projects.

Ann also mentioned that the bond list revision that will always be brought to the group if the Board of Trustees approved a new bond project, changed the name, scope or budget. Here is the first bond list revision on the Measure G program. It reflects a combining of two projects for efficiency. You will see two reports every time you come, the spreadsheet of what the budget was and what it is now if it has changed. The old name of a project will be struck through if there was a name change. If there is a scope change, a small note on the right-hand side will show on the spreadsheet. The goal is to help the committee understand the report and follow what is going on per project. If a project goes away or is combined, there will always be a record of it. It will never be deleted, but could be zeroed out.

Q: Is it possible to get this prior to the next meeting?

A: Ann stated that it is possible and that this time the group was working on programming up until the last minute.

Q: What would be done on the list if a project is zeroed out?

A: Ann stated that the program grey tones things so that it will be toned out light gray along with a note. Dark gray lines are shown when a project is complete. It is a way of easily communicating.

Ann mentioned that these reports are global reports. Every dollar is available for the auditors' review. All of this is high level summary, the auditor's review at the object code level detail. We just went through the auditors report. We know that these numbers are being heavily scrutinized. We check and balance and cross check each other's work.

## **8. Measure G Bond Projects Update**

Chris Wilson went through the Measure G projects update.

- District Facilities Master Plan - Everyone has been involved. This document will show what the current needs and future needs are through 2023. Nine options have been brought forward to the facilities committee. Chris also showed a presentation of what the Fremont Campus could look like.
- Quick Fix Projects – 250 projects have been identified. 40 of them have been identified as immediate repair. An RFQ for consultants was sent out and statements of qualifications have been received.
- Photovoltaic Projects:
  - Fremont – The mitigated negative declaration has been approved. We are now actively grading the site. There will be a plan come next soccer season. Soccer is currently practicing at Mission High School. We are looking for an offsite soccer field for the season. The Athletic Director and Leta Stagnaro have been looking at things to house them.
  - Newark – Plans have been submitted to DSA for permit approval. DSA will tentatively approve in May/June.  
Q: How is DSA treating us?  
A: DSA has their own time table. We have had a collaborative process to expedite the process. We've been working with DSA to closeout other projects, but they are also working with budget cuts as well. When you submit to DSA, they give you a bin time.
- Site infrastructure – BFK engineers were selected.

Board workshops that are occurring include:

- February – Master Plan
- April – Construction choices: This workshop will include labor and business choices. How will local businesses be brought into the mix? Will the District decide to have a Project Labor Agreement? The Board of Trustees is asking questions and this workshop will give the Board some specifics of what is possible and what is not. It will be to help educate the Board to what is legal. No decisions will be made at this workshop.

## **9. Website Progress Update**

The last time the group came together, Gilbane gave a list of items that would be put on the website. From this list, a draft was created with district input and then brought back to the group. Mike Chegini gave a quick overview. The look and feel is what we have worked with the District with to compliment the Ohlone College website as it is and what it may look like in the in the future.

The home page has a main graphic section and as the projects go forward, we can add construction photos. There is a place to show featured projects. Information on the next CBOC meeting is shown and a link that will take you to the actual meeting schedule and agenda.

Tabs include the Citizens Bond Oversight Committee members' page, annual reports, and performance audits, meeting schedule, with agenda and minutes, application for membership, committee by-laws and purpose and activities. We would like to add photos and a paragraph about each of you. The group can decide if you want a group photo or individual photo. Send biography paragraphs to Kelly.

Dennis Wolfe mentioned that he used the site and it worked fine for what I wanted to accomplish. I have no problem with the way it is set up. The Chair and Vice-Chair should be indicated. The application should have what activities are restricted.

Dennis mentioned that it is a great site with new and innovative techniques, but there is a problem with navigation. If you click on the link to the Ohlone College website, we need to have a link to the home page.

Mike stated that the page is not live, so at the time that it does go live, we'll have links at both ends. The URL has only been given out to this group. Some of the pictures you have do not really differentiate what campus it is located on.

Dennis mentioned that he wants a link to open up in a separate tab, not go back and forth on the same page. When you add the live link to the main page, it can be reopened if there is a link. We should have it active and the other page links back.

Mike stated that Gilbane will talk to the College webmaster and see how they program. We also want a testimonial page in response to what projects are currently going on and the reaction to those. It's good PR. Student, faculty and construction feedback. We could have testimonials as well as video testimonials. Someone could do a testimonial on ADA issues and how the campus has changed for the better. When you tour a space and the user speaks to you, it works as a nice information exchange. Something we can do as we go forward.

Rakesh asked if it is possible to have the domain name end in .org and .com in the background so that they can type in either? We should identify the site with .org. What are you doing to put us in the search engines? The way the website was built; there are a lot of key words.

Ann mentioned that the Measure G Bond project information is live data entered in by the accountants. Links will drill down into the project when clicked. The Gilbane team enters information following a Board approval. We do not put expense data in, only budget live data.

The website has been approved by the CBOC.

**Motion** / Pirrone / **Seconded** / Wahl / **All in favor**

## **11. CBOC Annual Report**

Scott went over the Board approved annual report with the group.

Scott introduced Thomas Moore, the Director of Facilities, to the committee.

Andy wanted to note that there was no mention of the Newark Campus in the report. This annual report shows what happened in the 2010-2011 fiscal year. We are still getting the Measure G projects up and running. You will see the Newark projects in the coming reports.

Andy noted that there was a printing error on page 2. Patrice will be notified to reprint.

Regarding the publication of the web site, Ann stated that Patrice Birkedahl needs to go through it with her final approval. The group would like to receive an email when the website is live and linked to the Ohlone College website.

Bill Wahl would like to have approval to distribute it. Regulation section 3.1 says that communication will come from the chair. Once the Board of Trustees has accepted it, you can distribute it. It is a public document. If any committee member has a question, shoot the email to Kelly and we can answer the question. The committee can also communicate by email to Rakesh and he will then talk to Kelly.

#### **12. Evaluation of the Current Meeting**

This was a very good meeting. Pictures are worth a thousand words. The committee would like to see Measure G pictures. Once Measure G projects have started, pictorial presentations will be brought to the committee. It would be nice for the committee to see pictures of where buildings will be placed.

#### **13. Topics for Next Meeting**

- Future Meeting Dates

The meeting adjourned at 7:55 p.m.

**Motion** / Feliciano / **Seconded** / Rastrullo / **All in favor**