

OHLONE COMMUNITY COLLEGE DISTRICT
Citizens' Bond Oversight Committee Meeting
Ohlone Community College District, Fremont Campus
43600 Mission Boulevard, Fremont, CA 94539

Minutes of Citizens' Bond Oversight Committee
September 16, 2013

MEMBERS PRESENT: Bob Douglass, Andrea Francis, Brad Hatton, Frank Pirrone, Hector Rastrullo, Rakesh Sharma, William Wahl, Mat Weber

MEMBERS ABSENT: Dennis Wolfe

OCCD STAFF PRESENT: Dr. Gari Browning, President/Superintendent
Arti Damani, Bond Accountant
Thomas Moore, Director of Facilities and Modernization
Farhad Sabit, Director, Business 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 **6:01 p.m.**

SCHEDULED ITEM

Introductions were done around the room.

1. Approval of the Agenda

The agenda was approved as presented.

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

2. Approval of the 06/17/13 minutes

The minutes were approved as presented.

Moved // **Seconded** // **Abstained** / **All in favor**

3. Committee Members' Attendance Report

The committee confirmed the attendance report. Dennis Wolfe was not present.

4. Recognition of Committee Members' Terms

Bob Douglass presented a plaque and resolution to Mr. William Wahl for his service from 2011 through 2013. He also presented a resolution to Mr. Hector Rastrullo for his recognition of service for his first term and continuation of service for his second term.

Thomas Moore presented a resolution to Mr. Bob Douglass for recognition of service for his first term and continuation of service for his second term.

5. Communications from Committee Members

No communications from committee members.

6. Communications from Staff

Farhad discussed the upcoming audit, which is scheduled for September 30th. Auditors will be coming and will be on campus for a week and a half.

Farhad also discussed the changes for School Bond Accountability Requirements. He read the Community College Update that states, "On January 1, 2014, community college districts will have additional responsibilities related to their Proposition 39 accountability requirements. Senate Bill (SB) 581 (Chapter 91), which was signed by Governor Jerry Brown on August 12, 2013, requires the governing board to provide the Citizen's Oversight Committee (COC) with responses to the findings, recommendations, or concerns identified in the annual, independent financial and performance audits within three months of receiving the audits.... Also, the bill requires that the audits be submitted concurrently to the COC and the governing board, no later than March 31 of each year... Prior to SB 581, only the audits, and not the responses, were required to be delivered to the COC by the March 31 deadline."

Rakesh Sharma: In the past, we would have normally known the issue?

Farhad: Yes, normally you would know but this is now a requirement.

Bob Douglass: These responses will be public before that time? If the auditors have findings, will we know before the public?

Rakesh: The auditors will come and conduct the audit. If there are findings, they are reported back to the District. We look at those findings and provide responses. We present a plan on how to fix and take corrective action. This will then be reported to the CBOC.

Ann Kennedy: When the auditor presents the audit to this committee, if there are findings, they would have told you at that time. It was part of the discussion but you didn't have any findings to comment upon.

Hector Rastrullo: The new regulation is to provide the audit, findings and then responses? Is it reporting to CBOC what the findings and responses are?

Farhad: There will be findings and the responses, which will include corrective action.

Rakesh: Only if there is a finding that needs action on their part.

Thomas Moore discussed the Academic Core and the Measure G Project. We are reaching 100% on design development. We will be covering other items during the Measure G Report. The group will go through the process of design build contracting with the example of the parking structure.

7. Communications from the Public

There is an update in an article in the Monitor for Measure G and what to expect.

8. Measure A Financial Update

Farhad Sabit went over the Measure A Financials. The most important column is the right hand column. It shows that we have \$211K left as of today. We are waiting on settlements for the HVAC repairs. We expect to receive about \$900K total from the settlement. Out of this total, we have received \$242K and are expecting another \$500K in the GEO Coils settlement. The plan is to close Measure A this fall.

Rakesh Sharma: Does the claim equal how much it is to take care of this issue? Or is this a bonus?

Thomas Moore: I wish that were the case. We have expended money on this building and the GEO Coils have yet to be fixed. We are not recouping 100%. We are recouping about ¾ of the costs. The alternative is more litigation.

Rakesh: Is the new technology worth doing long term?

Thomas: It is necessary with this building and the Newark Center.

9. Measure A Bond Projects Update

Thomas Moore gave a quick update on the Measure A projects, which include repairs on the Geo Coils systems at Newark. This project was transferred to a Measure G Quick Fix project until the District receives the settlement.

Rakesh: Is the settlement final?

Thomas: We reached a settlement in principle, but it has not formally been agreed on with signatures.

Dr. Browning: Are different parties involved?

Thomas: Not for the Geo Coils projects, but for Building 7. Geo Coils is coming from insurance. We have received the \$500K for Geo Coils settlement.

10. Measure G Financial Update

Ann Kennedy went over the Measure G program report. What is shown is Quarter 4 and these numbers will adjust. The finalized quarter 4 will adjust after the audit is complete. About \$5.1 million has been spent this quarter. We were a little over \$1 million in spending last time. It will continue to move up rather steeply in these next few quarters. Ann showed the detailed report and big items that had expenses this quarter. Renewable energy had \$2.9 million in expenses. 9101, 9107 and 9108 projects also had ½ million in expenditures this quarter.

Frank Pirrone: What were the expenses?

Chris Wilson: Quick fix projects. Fire alarm for Building 6 is a replacement of the existing system. There were no strobes and now there are. Safety repairs around campus which include hand rails and sidewalks. Design work on Building 22. Maintenance in the Child Development Center. Signage around campus which will help the students get around campus. Roofing and flashing repairs are complete.

Rakesh: Will the signage be good enough for the next few years?

Chris: Signage is a quick fix and is temporary. There will be adjustments and we can unbolt them and move them. Maps can be removed and replaced fairly easily. Another project will be coming that includes permanent signage.

Rakesh: If we didn't have Measure G funding? Where would the money come from?

Chris: Typically, the money would come from state scheduled maintenance.

Rakesh: If we didn't have this money, we wouldn't be able to make the fixes.

Ann stated that the Academic Core Building project has \$1.5 million in spending. We're keeping our contingency nice right now at 6.17%. Our bond expenditure to date is \$29 million.

Hector Rastrullo: What happened to project 6123? It was budgeted for \$17 million and there was no update, but went to a zero budget.

Chris: New Building E was consolidated into the Academic Core instead of 5 buildings.

Frank Pirrone: Why was that project programming instead of construction?

Chris: It will end up in construction.

Frank: Why is it in programming?

Chris: There weren't any expenses to date under signage. They didn't occur until 2013-14. There is a lag period.

Bob Douglass: What is the difference between planning and programming?

Ann: Planning is the early phase. Programming is the detail activity within the project. In large scale projects, it is very clear, but on smaller projects it is not so clear.

11. Measure G Bond Projects Update

Chris Wilson went over the Measure G Bond Projects.

- Design Build Process for parking garage.
- Photovoltaics – Just about done with construction. Last pieces of fence coming down in the next week or so. Talking to PG&E about getting stuff turned on. In the next 6 weeks it will be active. The grand opening will be some time in October at Newark, but we will celebrate both sites at the same time.
- Civil Infrastructure Project – Construction starts in May 2014.
- Academic Core Project – Completed schematic design and review process now. This level of drawings has not been shown to this group yet. One building is Arts, Learning Commons (Library), and general classrooms. The second building is Science and Lecture. The heavy demolition is scheduled for 2015.
-

Rakesh: Would you do a 3-D model? Can we come and see them one of these days?

Chris: We have 3-D images.

Rakesh: If you really want to have a feeling of what it would look like, it would be easier with a model.

Chris: We will have a lot of fly throughs and we will be able to look at it with different angles.

Rakesh: How will it look when you break everything down and build back up? I would find that helpful.

Chris: We can certainly look into it.

Andy: This looks like a lot of stairs again.

Chris: There is an elevator that you can take to the top of the building and get straight to the top of campus. Once the parking structure is on the North side, you can walk right into the Science Building. From the parking structure on the other side, you can take a bridge and move up and down vertically without having to climb stairs or ramps. There are ramps built into the stairs as well.

Casey Michaelis: The diagram also shows seating on the ramps.

Chris: We are not done with the landscape. How many students will we be able to get into the elevators? We can do double elevators.

Chris: We will get into those.

Dr. Browning: How many parking spaces are in the parking garage?

Chris: About 70% of the parking will be up at the top of the campus.

Chris gave updates of how each building will look inside. There will be clusters of offices. Medium sized lecture hall next to the arts level. On the Learning Center Level there will be open areas for students to interact and more space for people to learn together. There will be more tutorial space as well. In the Science Building, the darker green areas are support space. It will have a larger tiered lecture hall to fit 150 people and it will be adjacent to where the new parking structure is located.

Thomas: Those are strictly the architectural drawings that do not include the landscape and hardscape.

Rakesh: The buildings have 3 floors or 4 floors. With the new buildings, is there walking space between the floors for maintenance? Does this happen with college buildings?

Chris: The expense for that is pretty high.

Thomas: Many of the buildings at Stanford have the space for this need. The amount of maintenance that occurs on that campus makes the need for the extra space. We base the design on having access to things that are important for us to maintain. The central plant will be in one area and the maintenance will be in one central spot that is very accessible. We can put all of it in one big room. At Stanford, each building is pretty much standing alone. UCSD is 5-6 times the size of what we're building here.

- South Parking Structure Project – Designs were shown and then the group chose which one they thought the District went with. Teams of architects and builders send in their qualifications. 3-4 firms were short listed. The District had four good firms. There were four so good that they couldn't decide on three. Then the four short listed firms were sent out a request for proposal. They were each given specific requirements, size, some of the elements required to be in it, and a conceptual layout of where it was going to go. The team met with each of the four firms halfway through the process to make sure they were going in the right direction. Each firm submitted a design package with renderings and detailed drawings and technical specs of the design. The range on their budgets were \$21-\$24 million. This allowed the teams to use as much of their creativity as possible. The teams were scored with a possible 1000 points. The price divided by the numbers gave a cost per point which ends up giving not just the low bid, but the best value.

Bob Douglass: Was there financial compensation for the finalists?

Chris: Yes, a stipend of \$20K for the firms not selected.

Chris showed the four designs and let the group guess which firm was chosen. Overaa/Steinberg and Walker was selected as the design build team. They have been very attentive.

Rakesh: Did this one look better because there was landscaping?

Chris: They had the most points.

Thomas: They were the middle on price. You hope to find something of really good quality with a medium price. They asked all the right questions and were prepared with the presentation. Joel Heyne and I did the mid-meeting process. They wanted to know so much more. They were the unanimous first choice.

Brad Hatton: In our last discussion, we talked about the lease-leaseback option. Does that still apply to the construction projects?

Thomas: The parking structure was design build. The team is picked ahead of time.

Rakesh: Here, we are giving a contract to Overaa and they will build it?

Thomas: Yes, they design it and build it. As for the Academic Core, we have received 13 submittals from firms. We have some very good firms on the list.

Bob: The cost within reason should be the cost, correct?

Thomas: Yes, if there are no unforeseen conditions, the cost is the cost.

Bill Wahl: This is my last meeting. I found the work challenging and rewarding. We've heard the construction side of things?

Dr. Browning: This year, they have started to restore. We're down full-time faculty. We will rebuild over the next 7-10 years. Enrollment is steady.

- Athletic Fields – Showed the configuration of what they will look like now.
- Upcoming procurement of Lease Leaseback Building

Bond List Revision #3 was approved by the Board at their May 8th meeting.

12. Selection of Annual Report Subcommittee

Ann Kennedy discussed the annual report subcommittee. The District needs a couple of people to work and interface with staff. There is not a need to meet in person. Typically, the committee chair is involved and one to two volunteers is asked for input. The Annual Report draft will be started right away. In the first week of October, you will get your first email with a general layout. In November, the report will be populated with the agreed upon items. In December, the report will be finalized with the final numbers due to the completion of the audit.

Brad Hatton and Frank Pirrone volunteered.

Member of the CBOC's terms are expiring fairly soon and the District needs to find people of similar quality. There are quite a few second terms up in April 2014. The number of at large members is adequate. The District has the application for membership on the committee's webpage.

Bob Douglass: Fremont has a really active senior citizens' program.

Dr. Browning: In the past, we have worked hard for this to get applications filled out. Any help from this group would be much appreciated.

Ann Kennedy: Certain member representations need to show that we're in an active search by the January meeting. As long as we are actively seeking the seat, we can continue to function. We need to do our due diligence and prove that we are doing that.

13. Evaluation of Current Meeting

The committee commented on the presenters speaking clearly into the microphones.

14. Topics for Next Meeting

- Selection of Committee Chair and Vice-Chair
- Selection of Annual Report Subcommittee
- Auditor Preview

Bob Douglass adjourned the meeting at **7:24 p.m.**