

Measure Q Citizens' Bond Oversight Committee

Meeting of October 24, 2013
6:00 p.m.
District Board Room – District Office

Meeting called by: Dr. Raúl Rodríguez at 6:10 p.m.

Agenda item: Introductions: Dr. Rodríguez introduced the Rancho Santiago Community College staff and legal counsel:

Dr. Erlinda Martinez, President of Santa Ana College

Carri Matsumoto, Assistant Vice Chancellor of Facility Planning

Adam O'Connor, Assistant Vice Chancellor of Fiscal Services

Peter Hardash, Vice Chancellor, Business Operations/Fiscal Services

Linda Melendez, Assistant to Vice Chancellor, Business Operations/Fiscal Services

David Casnocha, legal counsel, Stradling Yocca Carlson & Rauth

Committee members were introduced:

Eric Alderete, Chairman of the Santa Ana Planning Commission

Nellie Kaniski, Executive Director of MANA

Irma Macias, resident of Santa Ana

Max Madrid, Director of District with Senator Lou Correa's office

Kenneth Nguyen, President of the Little Saigon Foundation

Jorge Rocha, Tax Accountant

Agenda item: *Public Comments*

Discussion: There were no public comments.

Agenda item: *Information* - Purpose of the Measure Q Citizens' Bond Oversight Committee and Overview of Committee Responsibility

Discussion: Dr. Rodríguez thanked the Committee members for volunteering to serve. Several required positions are still vacant; applications for those positions will continue to be solicited until all vacancies are filled. The purpose of this committee is set forth in Prop 39 guidelines and is subject to the Brown Public Meetings Act of the state of California.

Mr. Casnocha reviewed the Citizens' Bond Oversight Committee Bylaws with the committee and highlighted the following areas.

- The Committee is an oversight committee, not an advisory committee to the Board of Trustees, therefore, not subject to filing a Form 700.
- The Committee does not have legal capacity independent from the District.
- Only topics on the agenda can be discussed during a meeting. Committee members wishing to discuss specific topics at a meeting must forward the items to Mr. Hardash, Ms. Melendez or the Chair of the Committee for inclusion in the next meeting agenda.
- Serial meetings are not allowed.
- The Committee shall confine itself specifically to bond proceeds generated under Measure Q.

- The Committee shall review expenditure reports produced by the District to ensure that bond proceeds were expended only for the purposes authorized by Measure Q. You may hear about Measure E projects at this time, there will be a transfer resolution to reimburse Measure E for dollars fronted until the first issuance of Measure Q. No bond proceeds are to be used for teacher or administrative salaries or other operating expenses.
- The Committee shall present to the Board of Trustees an annual written report which shall cover the following areas: a statement indicating whether the District is in compliance with requirements of Prop 39; a summary of Committee's proceedings and activities for the preceding year.
- Section 3.5 – Measure Q Projects Only was reviewed by Mr. Casnocha, providing details on each area.
- The committee shall consist of at least seven members, appointed by the Board of Trustees from a list of candidates who have submitted a written application and based on the criteria established by Prop 39. The District has elected to form an eleven member Committee. The required areas are:
 - A student enrolled and active in a community college support group such as the Santa Ana College Associated Student Government
 - A member active in a business organization representing the business community located within the Santa Ana College service area
 - A member active in a senior citizens' organization, does not have to be a senior
 - A member active in a bona-fide taxpayers association
 - A member active in a support organization for Santa Ana College such as the Foundation
 - Two members of the community at-large
- Qualification standards: to be qualified he or she must be at least 18 years of age and may not include any employee, official of the District or any vendor, contractor or consultant of this District.
- Committee members are not required to file a Form 700 for this Committee
- A lottery will take place to stagger memberships. No member may serve more than two consecutive terms. A minimum of two members to serve for an initial two year term and the remaining members for an initial three year term. The Committee shall elect a Chair and a Vice-Chair for a one year term at the annual organizational meeting.
- The District will advertise for vacant positions and forward recommendations for approval by the Board of Trustees.
- The Board of Trustees may remove any Committee member for any reason, including failure to attend two consecutive Committee meetings without a reasonable excuse or for failure to comply with the Committee Ethics Policy which the Committee will be asked to affirm at the yearly annual organizational meeting.
- The Committee members shall not be compensated for their services. Committee members should not use this Committee as a stepping-stone to a public office.
- The Committee members shall not have the authority to direct staff of the District; individual members of the Committee retain the right to address the Board as an individual; the Committee shall not establish sub-committees for any purpose and the Committee shall have the right to request and receive copies of any public records relating to Measure Q funded projects. However, this Committee shall have no jurisdiction of the following activities:
 - Approval of Measure Q projects to get funded;

- Approval of contracts;
- Approval of change orders;
- Expenditures of bond funds;
- Handling of all legal matters;
- Approval of project plans and schedules;
- Approval of all deferred maintenance plans; and
- Approval of the sale of bonds.
- In order to perform the duties set forth in Section 3.0 of the Bylaws, the Committee may engage in the following activities:
 - Receive and review copies of the District’s annual independent performance audit and annual independent financial audit required by Article XIII A of the California Constitution.
 - Inspect school facilities and grounds for which bond proceeds have been or will be expended.
- The Committee shall meet at least once a year but no more than quarterly. The meetings shall be held within the Improvement District. All meetings shall be open to the public in accordance with the Brown Act. A majority of the number of Committee members shall constitute a quorum for the transactions of any action business.
- The District shall provide posting of agendas, meeting room, necessary equipment, copies of meeting materials and shall retain all records including website management.
- Any amendment to the Bylaws shall be approved by a majority vote of the Board of Trustees.
- The Committee shall automatically terminate and disband concurrently with the Committee’s submission of a final Annual Report to the Community which reflects the final accounting of the expenditures of all Measure Q funds.

Mr. Hardash informed the Committee that all Measure Q information can be found on the RSCCD website at: <http://rscdd.edu/Bond-Projects/Measure-Q/Pages/default.aspx>

Agenda Item: *Action* – Membership Lottery

Discussion: Dr. Rodríguez asked for nominations for a Chair to the Committee. Mr. Alderete volunteered to serve as the first Chair. Dr. Rodríguez asked for a second, Max Madrid seconded the motion; the Committee unanimously approved Mr. Alderete as Chair. Mr. Alderete nominated Mr. Kenneth Nguyen as Vice-Chair of the Committee; the motion was seconded by Mr. Madrid and unanimously approved by the Committee.

The Committee members drew lots for a term of service. The terms are 1+1, a one year term plus an additional two year term. The second is a two year term only. The terms are as follows:

Jorge Rocha, Community At-Large #5 – Two year term only

Eric Alderete, Santa Ana College Foundation – Two year term only

Kenneth Nguyen, Community At-Large #4 – Two year term only

Max Madrid, Community At-Large #3 – Two year term plus an additional two year term

Irma Avila Macias, Community At-Large #2 - Two year term plus an additional two year term

Nellie Caudillo Kaniski, Community At-Large #1 - Two year term plus an additional two year term

Business Organization - Two year term plus an additional two year term

Senior Organization - Two year term plus an additional two year term

Santa Ana College Student - Two year term plus an additional two year term

Taxpayer Association – Two year term only
Community At-Large #6 – Two year term only

Agenda item: *Information* - Measure Q Projects Sequencing

Discussion: Ms. Matsumoto reviewed the following sequencing:

- Dunlap Hall Renovation project – the renovation and replacement of the aging guard rails around the pedestrian walkways on all levels of Dunlap Hall as well as providing a new elevator and stair tower. The work is expected to begin in March 2014 with a target completion expected in June 2015. This project has a tentative budget of \$14.2 million and is under review.
- Central Plant project – the construction of the new Central Plant in three phases. This project includes a new central cooling plant, underground chilled water piping loop as well as upgrading existing site gas and domestic water piping system, sewer drainage and fire water systems. The first phase of the work is expected to begin in September 2014. This project has a tentative budget of \$68.1 million and is under review.
- Johnson Center Renovation project – the renovation of the Johnson Building to better utilize the space available and repurposing of the space to support the new program requirements established by the master plan. The old bookstore annex will be torn down due to seismic safety issues. The target construction start is May 2016. This project has a tentative budget of \$16.7 million and is under review.
- Science, Technology, Engineering & Mathematics Building (STEM) project – the construction of a new 63,100 square foot science and math complex housing modern laboratories, classrooms, lecture halls and faculty office. The target construction phase start is June 2017. This project has a tentative budget of \$66 million and is under review.
- Health Sciences project – the construction of a 55,138 square foot facility to allow for the consolidation and growth of the Health Sciences programs including Nursing, Occupational Therapy Assistant, Medical Assistant, Emergency Medical Technician and Pharmacy Technology. This project has been submitted to the state for future funding. Design and construction start is to be determined. This project has a tentative budget of \$50 million and is under review. This building will only be completed if the District receives state funding to fund the remaining balance once all Measure Q dollars have been spent.
- 17th and Bristol Streets Parking Lot project – the construction of a parking lot. Design is set to begin in March of 2014 and will be used temporarily as parking for construction vehicles to alleviate parking in student/staff parking areas. Construction is scheduled to begin in November of 2014. The acquisition of the land was funded by Measure E, design and construction is to be funded under Measure Q. This project has a budget of \$1.7 million.

Agenda item: *Action* - Schedule of Meetings

Discussion: A proposed schedule of meetings was distributed for review. The District is recommending the Committee meet three times per year. The following dates were proposed:

- February 20, 2014 or February 27, 2014 as the annual organizational meeting
- June 19, 2014 or June 26, 2014
- October 23, 2014 or October 30, 2014

The Committee discussed the proposed dates and selected the following:

- February 20, 2014
- June 19, 2014

- October 16, 2014

A motion was made by Mr. Alderete, seconded by Mr. Nguyen and approved unanimously by the Committee.

Agenda item: *Action* – Adjournment

Mr. Alderete asked for Committee comments. Dr. Martinez informed the Committee that she will provide a Santa Ana College campus update at each of the Committee meetings and provide a brief update on current campus facilities construction and progress.

Mr. Hardash informed the Committee that a financial summary will be provided at all future meetings after the first bond issuance. At this point the District has not determined the amount of the first issuance.

The Committee will be informed of all ground breaking, grand opening and ceremonial events for all Measure Q projects.

Mr. Alderete asked for a motion to adjourn the meeting, Ms. Macias made the motion, seconded by Mr. Nguyen. The meeting was adjourned at 7:40 p.m.