RANCHO SANTIAGO COMMUNITY COLLEGE DISTRICT 2323 N. BROADWAY, SANTA ANA, CA 92706

MEASURE Q CITIZENS' BOND OVERSIGHT COMMITTEE THURSDAY, JUNE 3, 2021 AT 6:00 P.M. WITH TOUR TO FOLLOW AT SANTA ANA COLLEGE – W-107 (SMALL GYM)

Agenda

1. Call to Order/Introductions - Hatcher

Information

Public Comment/Presentations

At this time, members of the public have the opportunity to address the Measure Q Citizens' Bond Oversight Committee on any item within the subject matter jurisdiction of the committee. Members of the community and/or employees wishing to address the committee are asked to complete a <u>"Public Comment" form</u> and submit it to <u>vega kennethia@rsccd.edu</u> <u>prior</u> to the start of the meeting. Completion of the information on the form is voluntary. Each speaker may speak up to three minutes; however, the chair of the committee may, in the exercise of discretion, extend additional time to a speaker if warranted, or expand or limit the number of individuals to be recognized for discussion on a particular matter. If a translator for the speaker is needed, please contact the Assistant to the Vice Chancellor at 2323 N. Broadway, Suite 404-1, Santa Ana, California, 714 480-7341 or email <u>vega kennethia@rsccd.edu</u>, at least 48 hours prior to the meeting so appropriate accommodations may be made. Please note the committee cannot take action on any items not on the agenda, with certain exceptions as outlined in the <u>Brown Act</u>. Matters brought before the committee which are not on the agenda may, at the committee's discretion, be referred to staff or placed on the next agenda for committee consideration.

It is the intention of the Measure Q Citizens' Bond Oversight Committee to comply with the Americans with Disabilities Acts (ADA) in all respects. If, as an attendee or a participant at this meeting, you need special assistance, the Rancho Santiago Community College District will attempt to accommodate you in every reasonable manner. Please contact the Assistant to the Vice Chancellor at 2323 N. Broadway, Suite 404-1, Santa Ana, California, 714-480-7341, at least 48 hours prior to the meeting to inform us of your particular needs so that appropriate accommodations may be made.

2.	Approval of Meeting Minutes – January 14, 2021	Action
3.	Santa Ana College Update – Flores	Information
4.	Measure Q Financial Update – O'Connor	Information
5.	Committee Comments	Information
6.	Measure Q Projects Update and Tour – Matsumoto	Information
7.	Adjournment	Action

Measure Q Citizens' Bond Oversight Committee Membership 2020-2021

Membership Areas	Committee Member	Duration of Term
Santa Ana College Student	Martha Uriarte (Appointed October 2020)	October 2020 – June 2021 June 2021 – June 2022 (Optional) (Appointed at 10/26/20 Board meeting)
Business Organization	Drew Hatcher (Appointed October 2020)	November 2020 – November 2022 (Appointed at 10/26/20 Board meeting)
Senior Citizens' Organization	Cecilia Aguinaga	March 2021 – March 2023 (Appointed at 02/22/21 Board Meeting)
Taxpayers Association	Vacant	
Santa Ana College Foundation	Alberta Christy (Appointed 2017)	February 2017 – February 2019 February 2019 – February 2021 February 2021 – February 2023
Community At-Large #1	Paul Gonzales (Appointed 2018)	January 2019 – January 2020 November 2020 – January 2022 (Re-Appointed at 10/26/20 Board meeting)
Community At-Large #2	Irma Avila Macias (Re-Appointed October 2020)	November 2020 – January 2022 (Re-Appointed at 10/26/20 Board meeting)
Community At-Large #3	Kenneth Nguyen (Re-Appointed December 2020)	January 2021 – January 2023 (Re-Appointed at 12/14/20 Board meeting)
Community At-Large #4	Teresa Saldivar (Appointed October 2020)	November 2020 – November 2022 (Appointed at 10/26/20 Board meeting)
Community At-Large #5	Barbara Rooker	March 2021 – March 2023 (Appointed at 02/22/21 Board Meeting)
Community At-Large #6	Vacant	

Measure Q Citizens' Bond Oversight Committee

Via Zoom

6:00 p.m. – 7:31 p.m.

Minutes of January 14, 2021

Members Present: Alberta Christy, Paul Gonzales, Drew Hatcher, Kenneth Nguyen, Irma Avila Macias, Teresa Saldivar and Martha Uriarte

District Staff Present: Marvin Martinez, Marilyn Flores, Adam O'Connor, Carri Matsumoto, and Kennethia Vega

Guests: Graham Beck, Bond Counsel

- 1. Call to Order/Introductions: Ms. Macias called the meeting to order at 6:02 p.m. and introductions were completed. There were no requests for public comments.
- 2. Annual Organizational Meeting
 - Election of Committee Officers (Chair and Vice Chair) Ms. Macias nominated Mr. Hatcher as Chair and Ms. Christy seconded the motion. There were no other nominations. The motion passed with one abstention by Mr. Hatcher. Ms. Christy nominated Ms. Macias as Vice Chair and Ms. Saldivar seconded the motion. The motion passed unanimously.
 - Confirmation of meeting dates and times for 2021 The 2021 meeting schedule was confirmed including May 13, 2021, September 23, 2021 and a potential meeting later in the year. President Flores confirmed the meeting in May does not conflict with SAC Scholarship and Veterans' Program ceremonies. No further action is required at this time.
 - Affirmation of Citizens' Bond Oversight Committee Bylaws and Ethics Policy Statement Graham Beck, from Nixon Peabody and bond counsel for RSCCD, provided a brief presentation on Proposition 39, responsibilities of the Citizens' Bond Oversight Committee, review of the Bylaws, Ethics Policy Statement and Brown Act compliance.

Proposition 39 allows the issuance of bonds for construction, reconstruction, rehabilitation, or replacement of school facilities as approved by 55% of the voters; which is the project list noted on the Measure Q web page on RSCCD website. Bond funds are not used for staff or administrative salaries. The committee, established by the Board of Trustees, reviews information, affirms spending of funds appropriately and issues annual report confirming compliance. The Annual Reports and Audit Reports are also posted on the RSCCD website. It is the district's responsibility to provide support to committee including space for meetings, arrangement and publishing/posts agendas, arrangement of site tours, address any questions and provide ongoing information related to the projects and completions appropriately. Annual and Performance Audit Reports are reviewed and accepted by the committee. Once accepted it is posted on District website.

The oversight committee duties focus on review and report as opposed to power and authority, which is the responsibility of the Board of Trustees the elected officials, designated to make decisions about how the money is spent. The Board of Trustees does not delegate approval of contracts, change orders, the sale and issuance of bonds, legal agreements, etc. to the committee. The Board of Trustees retains that responsibility and authority. The committee is only responsible for oversight of projects associated with Proposition 39 bonds.

Administratively, the legal requirement is seven members and this committee has more than required with eleven seats. These representative groups are as determined by the Board of Trustees. Vacancies are filled as members resign or term out. Currently, RSCCD is working on filling vacancies on this committee. The committee may not include employees, district officials, vendors, contractors or consultants to the District on the committee.

Mr. Graham suggested committee members review the Ethics Policy Statement that is appendix to the committee bylaws. The committee must place interests of the district above their own personal and business interests. Committee may not make or influence decisions related to bond funded contracts or projects that benefit their own employment, business, or personal finances (including immediate family). Committee may not use their authority to negotiate employment with persons or organizations relating to bond fund contracts or projects. Committee may not enter into or bid on bond funded contracts with the district following a period of two years upon termination of membership. If such issues arise, Bond Counsel will assist with navigating these situations.

The Brown Act governs open meetings in the State of California and this committee must comply by allowing the public to attend and make comments as was done at the beginning of this meeting. The legal requirement is to meet regularly at least once a year as was done by setting the meeting schedule for 2021. Meeting guorum is required with more than 50% of members present in order to take action. That is not to hold the meeting or receive information; it is only to take action. The committee can meet without quorum to receive, discuss business, but not take action. The Brown Act allows for telephonic meetings (which is slightly out of date), and in March 2020 an executive order suspended these requirements due to the current pandemic environment, therefore zoom meeting is okay. Agenda requirements include timely posting prior to meeting which is 72-hour advance notice. Special meetings can be called with 24-hour notice, if circumstances require it. A member of the public can attend and make comments but the committee must limit actions to what is on the agenda. The time limit for public comments is typically three minutes as noted on the current agenda. Mr. Graham noted secret meeting violations and suggested that if more than two members happen to gather outside of a committee meeting to restrict conversations for the next oversight committee meeting. This also applies to serial emails. Keep all actions and discussion to items on the agenda and in public meetings. Violations of the Brown Act can lead to criminal charges. If the committee has more questions, please forward to Interim Vice Chancellor O'Connor, to place on agenda for the next meeting.

Members of the Measure Q Citizens' Bond Oversight Committee agreed to accept the responsibilities outlined in the Bylaws and affirms the Ethics Policy Statement with the words "I do". The action was unanimous.

> Committee Membership was provided as information.

3. Approval of Minutes – November 5, 2020

Ms. Christy made a motion to approve the minutes of the November 5, 2020 meeting as presented. Mr. Gonzales seconded the motion. With no comments, edits or questions, the motion passed unanimously.

4. District Update – Martinez

Chancellor Martinez provided a brief update of the District including a reference to January 6 Insurrection at the US Capitol. RSCCD condemns such action and recognizes the duty as educators to talk about diversity, inclusion and equity. On January 4, intersession began at SAC with most courses remote. Spring semester will begin February 8 in remote format, with classes limited to in-person for those hard to convert (such as nursing, welding, automotive, fire and criminal justice academies) due to current surge in COVID-19 cases. Governor Newsome released proposed budget; it is decent budget with \$19 billion in revenues primarily through property taxes and home sales. Expected COLA is 1.5% for community colleges. RSCCD also expects to receive financial assistance to provide dollars to students in support of basic needs, food insecurity, and homelessness. This is the beginning of the budget process leading to approval by June 15 by the legislation. Congress approved Coronavirus relief bill for \$900+ billion program whereby colleges will do well. SAC will receive \$16.1 million through this program to provide grants to students, to assist with technology and book needs as well as PPE and loss of revenue due to COVID-19. Today, President Biden introduced the American Rescue Plan that will be the next stimulus of approximately \$2 trillion. Colleges continue to be a priority at Federal and State levels. Chancellor Martinez concluded his report by acknowledging President Biden's agenda for the first 100 days that includes DACA students on a pathway for becoming permanent citizens.

5. Measure Q Projects Update - Matsumoto

Ms. Matsumoto provided a brief update on the Measure Q projects including those completed (Dunlap Hall Renovation and Central Plant & Infrastructure), the Science Center (SC) and Johnson Student Center (JSC).

SC is behind schedule due to multiple issues. The corrective work to the exterior metal panels is almost complete. The second item is the failed window sealant and adhesion matter. After months of meeting with all parties involved, we have agreed to a remediation plan. All parties agreed it is a good method and approach. We are awaiting sealant tests from the lab and in the field. Contractors will remove sealant from all 110 windows, reinstall new sealant and conduct water intrusion tests again. While progress continues, issues remain in dispute and it is the intention of RSCCD to settle without litigation. McCarthy is a good contractor and has the resources necessary to complete the work. Ms. Matsumoto shared photos of the building progression including exterior and interior classrooms designed for engineering, bio, chemistry, and other science labs; the learning/study spaces and hallways for students to gather. Change orders currently exceed \$3 million and does not include the window repair. Ms. Matsumoto noted over \$4 million in dispute but RSCCD has not agreed to those change orders and it is premature to make any estimations at this time.

JSC project while delayed is still on track for summer 2021 opening. Metal panel manufacturer experienced a COVID-19 outbreak and closed the facilities during the winter break. The project continues to progress and Ms. Matsumoto shared pictures of the interior and exterior of the building. She also discussed the new road at the back of the building that will allow for deliveries to new warehouse and bookstore with wider access and efficient turning ability for delivery trucks. Finishing work such as carpeting, doors, and floors is ongoing. RSCCD is working with McCarthy on the metal panel delay and that is going very well.

There are no budget changes since the last meeting. It is hoped the committee will get to tour the SAC campus sites soon. There were no questions.

- Measure Q Financial Update O'Connor Mr. O'Connor reviewed the Projects Cost Summary noting that since the July 2020 an additional \$12 million has been spent. Of the total \$199 million budget, \$189 million has been spent.
- Proposition 39 General Obligation Bonds, Measure Q Financial and Performance Audits for fiscal year ended June 30, 2020 – O'Connor Mr. O'Connor reviewed the Measure Q Financial and Performance Audits for fiscal year ended June 30, 2020 as provided in the meeting materials. He referenced the <u>Conclusion</u> page as the most important information stating our district has properly accounted for the expenditures held

in the Revenue Bond Construction Fund (Measure Q) and such expenditures were made for authorized Bond projects. Additionally, he noted Financial Statement Finding with "none reported" and that is what we want to see. Each year we have had no financial statement findings.

Ms. Macias made a motion to receive and accept the financial and performance audits for fiscal year ended June 30, 2020 as presented. Mr. Nguyen seconded the motion. With no questions, comments or discussion, the motion passed unanimously.

8. Santa Ana College Update - Flores

President Flores provided a brief update on the activities of Santa Ana College noting intersession is not as bad as predicted, but enrollment is short of target. More general education classes in hybrid format with OWL technology allowing 10 students in large lecture classroom and others remote thus abiding by guidelines are being offered. Athletes continue conditioning and hope to transition to practice mode soon. She referenced the electronic billboard off 5 Freeway near 22 and 57 Freeways providing free advertising for SAC and commended the City of Santa Ana. Using CARES Act funds, SAC is mailing over 31,000 care packages with facemasks to students in the next few weeks. The idea is to encourage their return, promote safety and provide information on resources available including face-to-face appointments as needed. SAC is planning a second mailer for non-credit students as well. Digital Dons continues with laptop distribution program for new students. SAC Days, a half-day conference for incoming students, is February 1. President Flores noted receipt of CARES Act funds and explained direct support to students and instruction. SAC received \$2.7 million for the first two allocations. All funds have been spent or encumbered to provide direct support to students, laptop purchases, PPE and other instructional equipment such as the OWL cameras. SAC is looking into purchasing hot spots for student use as well as standing thermometers for college entry points to replace manual temperature taking at the door of in-person classrooms. December highlights include SAC Don's Food Corner serving over 475 students. Partnership with Northgate for toy-drive drive-thru with over 6000 toys distributed. Mr. Hatcher commended the college for the leadership within community especially during these trying times.

9. Committee Comments

SAC and the Foundation were commended for strong support of students with laptops and \$100 vouchers for books, food distribution and so many other benefits. Congratulatory remarks to Mr. Hatcher and Ms. Macias were made. A discussion ensued about SAC's progress related to diversity and equity through revised curriculum, training and new methods of teaching as well as safe environments to have open discussions on these topics. One example is the creation of a task force developed with the CJA program to focus on what we teach and how we teach in the law enforcement program.

Mr. Hatcher noted four vacancies on the committee and encouraged members to reach out to others that might be willing to serve. He thanked Chancellor Martinez, President Flores and staff for support and preparation of materials for the meeting.

10. Adjournment

Ms. Christy made a motion to adjourn the meeting. Ms. Macias seconded the motion. The motion passed unanimously to adjourn the meeting at 7:31 p.m.

Mr. O'Connor noted the next meeting is May 13, 2021 at 6:00 p.m. and whether it will be zoom format or in-person, staff will be in touch to coordinate.

RANCHO SANTIAGO COMMUNITY COLLEGE DISTRICT MEASURE Q Projects Cost Summary 04/30/21 on 05/04/21

			04/30/210	on 05/04/21				
5			FY 2020-2021					
Special Project Numbers	Description	Project Allocation	Total PY Expenditures	Expenditures	Encumbrances	Cumulative Exp & Enc	Project Balance	% Spent
	'E PROJECTS	·	•				· · · · · ·	
	A ANA COLLEGE							
3035/	Johnson Student Center	59,548,222	36,998,707	15,625,250	6,671,656	59,295,613	252,609	100%
3056	Agency Cost		479,276	(1)	3,443	482,718		
	Professional Services		5,273,249	929,848	872,936	7,076,032		
	Construction Services		31,161,950	14,338,597	4,011,957	49,512,503		
	Furniture and Equipment		84,233	356,806	1,783,321	2,224,360		
3049	Science Center & Building J Demolition	70,130,861	55,803,846	2,328,729	4,231,050	62,363,624	7,767,237	89%
	Agency Cost		430,871	10,260	1,696	442,827		
	Professional Services		8,613,856	907,515	622,322	10,143,693		
	Construction Services		45,942,968	416,906	2,739,143	49,099,016		
	Furniture and Equipment		816,152	994,047	867,888	2,678,088		
	TOTAL ACTIVE PROJECTS	129,679,083	92,802,553	17,953,978	10,902,706	121,659,238	8,019,845	94%
CLOSI	ED PROJECTS							
3032	Dunlap Hall Renovation	12,620,659	12,620,659	-	-	12,620,659	0	100%
	Agency Cost	• · ·	559	-		559		
	Professional Services		1,139,116	-	-	1,139,116		
	Construction Services		11,480,984	-	-	11,480,984		
	Furniture and Equipment		-	-	-	-		
3042	Central Plant Infrastructure	57,266,535	57,266,535	-	-	57,266,535	0	100%
	Agency Cost		416,740	-	-	416,740		
	Professional Services		9,593,001	-	-	9,593,001		
	Construction Services		47,216,357	-	-	47,216,357		
	Furniture and Equipment		40,437	-	-	40,437		
3043	17th & Bristol Street Parking Lot	198,141	198,141	-	-	198,141	0	100%
	Agency Cost		16,151	-	-	16,151		
	Professional Services		128,994	-	-	128,994		
	Construction Services		52,996	-	-	52,996		
	Furniture and Equipment	-	-	-	-	-		
	TOTAL CLOSED PROJECTS	70,085,335	70,085,334	-	-	70,085,334	0	100%
	GRAND TOTAL ALL PROJECTS	199,764,418	162,887,887	17,953,978	10,902,706	191,744,572	8,019,845	96%

Totals	199,764,418
Interest/Expense (FY20/21)	385,881
Interest Earned	2,993,115
ACTUAL Bond Proceeds Recon Adjust.	(1,614,579)
ORIGINAL Bond Proceeds	198,000,000



CITIZENS' BOND OVERSIGHT COMMITTEE MEETING PROJECT UPDATES JUNE 3, 202 I











PROJECTS

Dunlap Hall Renovation - Completed
 Central Plant & Infrastructure - Completed
 Johnson Student Center & Demolition
 Science Center & Building J Demolition





PROJECT UPDATE SANTA ANA COLLEGE SCIENCE CENTER & BUILDING J DEMOLITION

Project Summary:

- Construction of a new three-story, 64,785 square foot science center and 880 square foot greenhouse
- Programs Include: Division Office, Faculty Offices, (2) Standard Classrooms, (1) Large Classroom, (1) Large Divisible Classroom, (1) Engineering Lab & Support Space, (6) Biology Labs & Support Space, (2) Geology Labs & Support Space, (5) Chemistry Labs & Support Space, (1) Physics Lab & Support Space, Student Collaboration Areas
- Project includes demolition of (3) J Buildings

Current Status:

- Ongoing punch list activities
- Ongoing corrective work due to failed window water intrusion testing and recent failed sealant adhesion tests
- Project is delayed due to the above unfinished work and is not anticipated to complete until July/August
- Target occupancy Summer/Fall 2021

Budget:

\$70.13 million





Project Summary:

- Demolition of existing building
- Construction of a 63,642 square foot new Johnson Student Center
- Building Programs Include: Campus Store, Quick Stop/Café, DSPS, EOPS/CARE & CalWORKS, Student Business Office, SSSP/Upward Bound, Warehouse, Reprographics, Conference Center, Financial Aid, Student Placement, Health & Wellness Center, Office of Student Life, ASG, The Spot
- Site improvements include new hardscape, landscape and shade shelter around the Johnson Center as well as renovations in the West Plaza including new landscape, hardscape, a shade structure, and a campus serving kiosk (Express West)

Current Status:

- The project reached substantial completion on March 15, 2021
- Anticipated final completion is late May 2021
- Phased moves will occur through end of June 2021 for a Fall Semester Opening

PROJECT UPDATE SANTA ANA COLLEGE JOHNSON STUDENT CENTER

<u>Budget:</u>

- \$60 million
- \$59.55 million funded by Measure Q

Note: The budget is currently deficient by \$451,778



PROJECT UPDATE SANTA ANA COLLEGE JOHNSON STUDENT CENTER





PROJECT UPDATE SANTA ANA COLLEGE JOHNSON STUDENT CENTER





			MEASURE Q BUDGET HISTORY
	INITIAL START-UP PLANNING TOTAL PROJECT BUDGET (February 2014) M (Million)	CURRENT ESTIMATED TOTAL PROJECT BUDGET (April 2021)	
PROJECT	611.014	10 5014	BUDGET MODIFICATION NOTES
Dunlap Hall Renovation	\$14.2M	12.62M	 Prior to 2014, the project budget was initially set-up in Measure E. Certain softs costs are still expensed to Measure E. In 2014, a new project budget was set-up in Measure Q to cover construction costs. In November 2014, increase in budget due to expense transfers from Measure E. In November 2014, increase in costs associated with an extension of time due to unforeseen conditions on the roof. In April 2016, decrease budget by \$2.6 million expense transfers to Measure E. In August 2016, decrease budget by \$1.2 million expense transfers to Measure E.
17th & Bristol St Parking Lot	\$1.7M	\$0.00	 The acquisition of the property was paid out of Measure E in April 2014. In 2014, a new budget was needed for the development of property into a surface parking lot. In 2015, adjusted costs for construction of parking lot based on estimator's review of construction documents. In June 2018, project budget balance of \$2.3M was allocated to Johnson Center.
Central Plant	\$68.17M	\$57.28M	 In February 2014, adjustment made to conceptual budget of \$40 million, due to a final scope of work, a new target construction budget, and a new construction schedule. In November 2018, re-allocated \$10.36 million to Johnson Student Center to cover deficiency. This budget is now at \$57.81M. In June 2019, re-allocated \$527,947 to Johnson Center to cover deficiency and to close out this project.
Johnson Center Johnson Demolition	\$16.7M	\$60M \$0.00	 In 2014, an initial conceptual budget of \$16.7 million was established based on a renovation project. In October 2014, budget increased to \$28.49 million due to a change in scope from a renovation project to a replacement project. In November 2015, budget increased to \$40.70 million based on College's selection of Option 7 which included additional programs and an increase in square footage. In April 2016, re-allocated \$2.7 million from Dunlap budget to increase budget to cover deficiency. The budget was deficient by \$5.64 million and is now deficient by \$2.9 million. In August 2016, re-allocated \$1.2 million from Dunlap budget to increase budget to cover deficiency. The budget was deficient by \$2.9 million. In October 2017, re-allocated \$492,134 from bond interest to increase budget to cover deficiency. The budget was deficient by \$1.74 million and is now deficient by \$1.25 million. In October 2017, re-allocated \$2.5 million from Johnson Demolition; budget was increased from \$40.70 million to \$50 million. Project is deficient by \$8.05 million as the current budget allocation available is \$41.95 million. In June 2018, re-allocated \$2.3 million from 17th & Bristol project and an additional \$13,382 from Dunlap Hall project balance. Project balance is currently deficient by \$6.73 million as the current allocated budget is \$44.27 million In Outober 2018, re-allocated \$47,276 from bond interest to cover deficiency. The budget was deficient by \$6.73 million and is now deficient by \$6.26 million 100 in November 2018, re-allocated \$2.9 Million Grom Central Plant to cover deficiency. The budget was deficient by \$1.527 based on the new budget of \$60M and is now deficient by \$4.90M. In January 2019, re-allocated \$2.9 Mirom Science Ctr to cover deficiency. The budget was deficient by \$4.9M and is now deficient by \$6.73 million 100 in November 2018, re-allocated \$2.9 Mirom Science Ctr to cover de
			 a) In April 2016, increased budget by \$700,000 due to estimated increase in demolition costs from \$1.8 million to \$2.5 million. b) In April 2018, reallocated budget to Johnson Student Center due to consolidation of phases into one project.
Science Center	\$66M	\$70.13M	 In 2014, an initial conceptual budget of \$66 million was established. In October 2014, a new planning total budget was established of \$62.94 million based on a more defined scope. In July 2015, budget increased to \$73.38 million based on College's selection of Option A3 which outlined the final program including additional labs and an increase in square footage. The new program changed from STEM to Science Center. In January 2019, re-allocated \$2.9M to Johnson Center to cover deficiency. This budget is now at \$70.48M. In April 2021, budget was decreased by \$350,000 (transferred to Johnson Center) for a new budget total of \$70.13M.



QUESTIONS



