



Chabot-Las Positas Community College District Citizens' Bond Oversight Committee

Meeting Minutes No. 71

Location: Zoom Conference Call

<https://cccconfer.zoom.us/j/94955015092>

Dial: 669-990-6833, Mtg ID: 949 5501 5092

Recorded by: Donna Alaoen

Date: January 26, 2022

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Committee Members:

	Term	Term Expires	Present
Mr. Lynn Seppala, College Foundation (Chair)	Two-(2) yrs	Spring 2023	<input checked="" type="checkbox"/>
Mr. Will Macedo, Retiree	Two-(2) yrs.	Spring 2023	<input checked="" type="checkbox"/>
Mr. Jacques Gautreaux, Business Community	Two-(2) yrs.	Spring 2023	<input type="checkbox"/>
Jo A. S. Loss, Taxpayers' Association	Two-(2) yrs.	Fall 2023	<input checked="" type="checkbox"/>
Margret Smith-McCollum – Community At Large	Two-(2) yrs.	Fall 2023	<input checked="" type="checkbox"/>
Ms. Sarah Hosterman, Community At Large	One-(2) yrs.	Fall 2022	<input checked="" type="checkbox"/>
Ms. Lara Wiedermeier, Student Representative	Two-(2) yrs.	Fall 2023	<input checked="" type="checkbox"/>

District/College Representatives:

- Mr. Owen Letcher, Vice Chancellor of Facilities & Bond Program
- Ms. Ann Kroll, Project Planner/Manger, Las Positas College
- Mr. Michael Garr, Project Planner/Manger, Chabot College
- Ms. Wendy Pinos, Bond IT Project Manager
- Mr. Jonah Nicholas, Vice Chancellor of Business Services
- Ms. Daniela Ballif, Director of Business Services

Public:

- Damian Clark, Representative of Crowe, LLP
- David Casnocha, Esq.

1.0 CALL TO ORDER

Chair Lynn Seppala called the meeting to order at 6:00 p.m.

2.0 ROLL CALL

A quorum was met with six (6) committee members responding to roll call.

3.0 PUBLIC COMMENTS

There were no public comments presented at this meeting.

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4.0 APPROVAL OF MEETING MINUTES

The meeting minutes for July 28, 2021 were presented to the committee for approval. The meeting minutes were approved and moved by (Mr. Will Macedo), seconded (Mr. Lynn Seppala). Abstained by: Jo Loss and Margret Smith-McCollum.

The meeting minutes for October 27, 2021 were presented to the committee for approval. The meeting minutes were approved and moved by (Ms. Jo Loss), seconded (Mr. Lynn Seppala). All in Favor.

5.0 ANNUAL AUDIT REPORT – Damian Clark/Daniela Ballif

Vice Chancellor Jonah Nicholas welcomes and introduces Damian Clark of Crowe, LLP. Mr. Damian Clark presented the Performance Audit and Financial Statements for both Measure A & B to the committee. Various components of the report were presented to inform the committee the purpose of the report, the scope of the report as well as the methodology and the conclusion of its findings. A complete set of the audited financial statements are available by request.

Mr. Lynn Seppala expressed his gratitude on how effectively the District and colleges have been transparent in having clean audits for both Measure A and B for the past few years. Ms. Jo Loss asked what the process for the audit looks like. Vice Chancellor Nicholas explains that the District completes multiple audits throughout the year in which are completed by Crowe, LLP. Those audit reports are then sent to Audit Sub Committee in the month of January where they are reviewed by 3 members of the overall governing board in detail and at length. Subsequently, they are brought to the Citizens' Bond Oversight Committee for information only of the current status of the audit reports for Measure A and B. There is no action needed after this information has been presented to the committee. Mr. Will Macedo also explains this audit information is also presented in the Annual Report.

6.0 ROLES AND RESPONSIBILITIES OF THE CITIZENS' BOND OVERSIGHT COMMITTEE MEMBERS – David Casnocha, Esq.

Vice Chancellor Letcher introduces David Casnocha who will be presenting the Roles & Responsibilities of the Citizens' Bond Oversight Committee members. Mr. David Casnocha explains to the committee that there are seven (7) points to help the committee understand what their roles and responsibilities are on this committee.

The first point is that your powers are statutorily based due to Proposition 39. The concept of best practices for such a committee isn't applicable to a committee that has statutorily defined powers whose responsibilities have been defined by the state legislature and not by the Board of Governors of Chabot-Las Positas Community College District.

The second point: the name of the committee is “An Independent Citizen Bond Oversight Committee.” The meaning of the word “independent” in the context of a statutorily committee has free on conflict of interest and free of interference by the governing board that appointed you to be on the committee. Furthermore, members are an oversight committee. Being on an oversight committee means that the members do not provide any advice. Members may express opinions, make recommendations and share points of views. They oversee the expenditures of voter approved bond proceeds.

The third point: the activities of the Citizens’ Bond Oversight Committee are non the less governed by the Brown Act. The committee is only legally able to discuss what is on the agenda for that particular meeting.

The fourth point: what your specific statutorily duties under the Education Code which are set forth within the bylaws. There are 3 bylaws set forth for this committee. They are as follows: 1) Committee members have the obligation to review expenditure reports prepared by the District to ensure that bond proceeds were expended only for the purposes set forth in Measures A & B and that no bond proceeds were used for teacher or administrator’s salaries or other operating expenses in compliance with the Attorney General’s opinion on the topic. In reviewing expenditures, the California constitution says that bond proceeds can only be spent on the repair, construction, furnishing and equipping of school facilities. 2) Committee members have the obligation to inform the public of your conclusions and your activities of the committee. The way to inform the public will be communicated by the chair and reflects the majority view of the committee. 3) The preparation of the Annual Report that is a written document obligated to be filed with the Board of Trustees postdated following the Audit Reports presented to the committee members.

The fifth point: Committee members shall have no jurisdiction over the following types of activities: approval of contracts, approval of change order, 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. However, the committee should use their duty to ask questions as they see fit in an effort to ensure that bond proceeds are spent efficiently as possible.

The sixth point: The law allows members of the committee to request a tour and site inspection of facilities and grounds where bond proceeds have been or will be spent. This will allow the committee members to see in real life what is happening with the bond funds.

The seventh point: The District has a legal obligation to maintain committee records in providing public access to such records on internet website maintained by the District. Committee members should take the time to review the website and decide what recommendations and improvements the content of the website.

7.0 MEASURE B/A PROGRESS REPORT – Owen Letcher

Vice Chancellor Letcher presented the executive summary report to the committee and allowed both Mr. Michael Garr and Ms. Ann Kroll to report on the progress of the construction projects at Chabot College and Las Positas College, respectively. He also mentioned that we are currently working on closing out Measure B by the end of the fiscal year and will have one final audit to report to committee at the end of year. Mr. Seppala asks what the status of the Security Master Plan is currently at this time. Vice Chancellor Letcher informs the committee that a Security Master Plan was completed in 2018. The Security Master Plan focused \$5 million dollar at each campus to address those concerns in which he is happy to report that we are close in completing and addressing all those concerns and are working on one last item to complete from the Security Master Plan.

ACTION: None

8.0 MEASURE A/B – CHABOT COLLEGE REPORT – Michael Garr

Mr. Michael Garr provided the committee an update on all projects at Chabot College which include: Biology Building 2100 Phase I, Biological Sciences Phase II, New Library and Learning Connection Building 100, Dental Hygiene Simulation Equipment Connections, District Wide Emergency Call Station Project, Hayward Fire Department/Chabot Fire Training Facility, Athletic Field Improvement, MPOE Renovation and Relocation, Pool Renovation Project, Pathways and Parking Lot Improvement Project, Fire Water System Upgrades, B3000 Maintenance, Operations, Warehouse & Garage and District-Wide Security Management System Refresh Projects.

ACTION: None

9.0 MEASURE A/B – LAS POSITAS COLLEGE REPORT – Ann Kroll

Ms. Ann Kroll provided the committee an update on all projects at Las Positas College which include: New Academic Support and Office Building 2100, Public Safety Complex/Advanced Manufacturing and Transportation Facilities (PSC/AMT), AG Science: Horticulture Facility Project, AG Science: Viticulture Facility Project, Architecture Barrier Project, Domestic Water Booster System Project, B1690 Academic Services Renovation, Temporary Office Complex – Faculty Office Relocation Village and Emergency Call Station Project.

ACTION: None

10.0 INFORMATION TECHNOLOGY SERVICES REPORT – Wendy Pinos

Vice Chancellor Owen Letcher provided the committee with an update on all IT projects across both campuses which include: distributed antennae system (DAS) for improved cellular coverage inside buildings; email upgrade; Chabot College

MPOE replacement; Network Enhancements; Campus Upgrades; Email Upgrade; and Facilities Management Office project support at both campuses.

ACTION: None

11.0 COMMITTEE MEMBER COMMENTS

Mr. Lynn Seppala has requested to schedule a campus tour at the next meeting of April 27, 2022 at Chabot College to allow the committee members to see all construction project progress at this time. Mr. Will Macedo requests confirmation of the last bond sale for a total of \$360 million dollar out of Measure A. Vice Chancellor Letcher confirms that a second series of bonds were sold in July 2021. Mr. Lynn Seppala requests that the project reports have little to no use of acronyms to ensure the public can easily understand what is being reported.

Action: None.

12.0 NEXT CITIZENS' BOND OVERSIGHT COMMITTEE MEETING

The next Citizens' Bond Oversight Committee Meeting will be on Wednesday, April 27, 2022 at 6 pm at Chabot College. A campus tour of the construction projects will be offered at time later determined closer to the meeting date.

13.0 ADJOURNMENT

Mr. Lynn Seppala called for a motion to adjourn the meeting at 7:51 p.m. All in favor.