



**CHABOT-LAS POSITAS COMMUNITY COLLEGE DISTRICT
CITIZENS' OVERSIGHT COMMITTEE**

Meeting Minutes No: 08

Location: District Office, Room 120

Recorded by: Barbara K. Tracey

Date: April 25, 2006

Persons Present:

	Term	Term Expires	Present	Not Present
Committee Members				
Mr. Kevin Baker, Business Community Representative	2 yrs.	2006	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mr. Dave Bouchard, Business Community Representative	2 yrs.	2006	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mr. Brian Foster, Community Member Representative	2 yrs.	2007	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mr. Gordon Galvan, Chabot College Foundation Representative	2 yrs.	2006	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mr. Byron Kamp, Community Member Representative	2 yrs.	2006	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mr. Joshua Paul, Las Positas College Student Government Representative	2 yrs.	2008	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ms. Bernadette Richard, Chabot College Student Government Representative	2 yrs.	2008	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Mr. John Sailors, Senior Organization Representative	2 yrs.	2006	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Mr. Jason Teramoto, Community Member Representative	2 yrs.	2006	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mr. Bob Tucknott, Taxpayers Association Representative	2 yrs.	2006	<input checked="" type="checkbox"/>	<input type="checkbox"/>

District/College Representatives

- Dr. Susan Cota, Chancellor
- Mr. Lorenzo Legaspi, Vice Chancellor, Business Services
- Ms. Jennifer Aries, District Director, Public Information & Marketing
- Ms. Karen Halliday, President, Las Positas College
- Dr. Robert Carlson, President, Chabot College

Supporting Consultants

- Mr. Eloy Retamal, DMJM Program Management, Program Director
- Ms. Barbara K. Tracey, DMJM Program Management

1.0 CALL TO ORDER

Mr. Byron Kamp, Committee Chair, called the meeting to order at 6:39 p.m.

2.0 ROLL CALL

A quorum was met with six committee members responding to roll. A seventh member joined the meeting at 6:45 p.m.

3.0 PUBLIC COMMENTS

Mr. Kevin Dayton spoke to the Committee, recommending opposition to a Project Labor Agreement on Measure B funded projects.

Mr. Eric Christen then addressed the Committee, also encouraging the Committee to oppose a Project Labor Agreement on bond projects.

Mr. Kamp announced that, if there was no objection, later agenda items would be addressed out of order from the published agenda. No objections were raised.

4.0 APPROVAL OF MINUTES OF January 24, 2006 MEETING

It was moved (Mr. Foster) and seconded (Mr. Galvan) that the minutes of the January 24, 2006 meeting be approved as drafted.

5.0 COMMITTEE MEMBERSHIP

Mr. Lorenzo Legaspi reported on the action taken by the Board of Trustees at their February 21, 2006 meeting. Mr. Joshua Paul was appointed as Student Government Representative for Las Positas College, and Ms. Bernadette Richard as Student Government Representative for Chabot College.

Mr. Legaspi also noted that Mr. Jason Teramoto has been re-designated as a representative from the Community.

Mr. Kamp reminded the Committee that the terms of appointment for six members (Mr. Kamp, Mr. Baker, Mr. Bouchard, Mr. Galvan, Mr. Sailors, and Mr. Teramoto) will expire after the Committee meeting in July, 2006. He asked that those members advise him as soon as possible if they would like to be considered for reappointment to the Citizens' Oversight Committee.

6.0 ANNUAL REPORT

Ms. Jennifer Aries distributed copies of the fall class schedules for both Chabot and Las Positas Colleges. She pointed out the placement in each of the information on the Citizens' Oversight Committee First Annual Report to the Community.

Ms. Aries reported that she had recently attended the Community College Public Relations Organization Annual Conference and PRO Awards Competition, at which the Citizens' Oversight Committee First Annual Report to the Community received the second place award in the PRO Awards Annual Report category.

Ms. Aries will present a 2006 Annual Report schedule to the Committee for consideration at their July 2006 meeting. She reminded the Committee that the target date for presentation to the Board of Trustees of this year's Annual Report will again be December.

8.0 IMPACT OF RISING CONSTRUCTION COSTS ON THE MEASURE B BOND PROGRAM

Mr. Eloy Retamal, DMJM Program Director, gave a slide presentation on the impact of rising construction costs on the projects of the Measure B bond program. His presentation addressed such issues as how

escalating market conditions have diminished the purchasing power of the bond funds, what factors have contributed to escalating market conditions, and escalation rates of different construction labor and material cost components. Also addressed were what actions must be taken to combat the diminished purchasing power of the program and different strategies to minimize any negative impact on the bond program.

Mr. Legaspi then informed the committee of the District's intent to pursue an accelerated construction schedule that condenses the bond projects into a five year program schedule. To accomplish the shortened time period of bond activities, each project must be studied to reevaluate its priority and scope, with potential that some projects may be deferred.

The specifics of the five year construction schedule, for both colleges, will be presented to the Board of Trustees at their June 6 meeting. The Board of Trustees will then vote on whether to pursue the five year construction plans at their meeting on July 25. Committee members raised several questions following the presentation, to which Mr. Legaspi and Mr. Retamal responded.

Mr. Kamp suggested that the Citizens' Oversight Committee schedule a special meeting to receive specific information on the five year construction plans, at which the committee may cast an advisory vote to send to the Board of Trustees for their consideration.

It was moved (Mr. Tucknott), seconded (Mr. Galvan), and passed that a special meeting of the Citizens' Oversight Committee be called for Tuesday, June 27, 2006, at 6:30 p.m. to consider a single agenda item, that being presentation and discussion of the proposed five year construction plans.

11.0 OPINION OF BOND COUNSEL

Mr. Legaspi read the letter received from Mr. David Casnocha, bond counsel, that expressed his legal advise that "endorsement or objection to PLAs (Project Labor Agreements) are beyond the scope of the Committee, and are reserved exclusively to the Board of Trustees or the Chancellor."

Mr. Kamp suggested that a motion be made to accept the attorney's opinion that endorsement or objection to a PLA is beyond the scope of the committee. Mr. Foster moved that the Committee adopt the attorney's opinion in this matter. The motion was seconded by Mr. Teramoto.

Following discussion, the motion was defeated by three members voting in favor (Mr. Foster, Mr. Teramoto, and Mr. Paul) and four members voting against (Mr. Tucknott, Mr. Galvan, Mr. Bouchard, and Mr. Baker.)

Mr. Tucknott then moved that the bond oversight committee make a recommendation to the Board of Trustees that the Citizens' Oversight Committee is in opposition to a PLA on bond construction projects. The motion was seconded by Mr. Baker.

Mr. Legaspi reminded the committee that the District is in negotiation of a PLA, and that not all of the information collected by the Board of Trustees has been presented to the Citizens' Oversight Committee. He further mentioned that Mr. Casnocha, bond counsel, was not available to attend the meeting that night, but is willing to be available at the committee's next

meeting. Dr. Carlson pointed out that the Board of Trustees is some months away from making a decision or taking any action on a PLA.

Mr. Tucknott called for the question.

Two members voted in favor of the motion (Mr. Tucknott and Mr. Baker.)

Two members opposed the motion (Mr. Galvan and Mr. Bouchard.)

Three members abstained from voting on the motion (Mr. Paul, Mr. Teramoto, and Mr. Foster.)

Mr. Kamp cast his tie-breaking vote against the motion. The motion was denied.

Mr. Tucknott moved, seconded by Mr. Galvan, that discussion of Project Labor Agreements being considered by the Chabot-Las Positas Community College District be placed on the agenda of the next regular meeting, July 25, 2006, of the Citizens' Oversight Committee.

The motion passed with four favorable votes (Mr. Tucknott, Mr. Galvan, Mr. Bouchard, and Mr. Paul.) Two members opposed the motion (Mr. Foster and Mr. Teramoto.)

7.0 BOND PROGRAM UPDATE

Mr. Legaspi informed the committee that Mr. Stan Dobbs had retired, the end of March, from his position as Director of Facilities for the District. Mr. Legaspi will be acting as Director of Facilities, with the support of Mr. Retamal as needed. Mr. Legaspi also pointed out the two issues of the Facilities Newsletter contained in the agenda packets.

10.0 UPDATE ON BOND ISSUANCE

Mr. Legaspi reported that reissuance of the Series A bond had been approved by the Board of Trustees and that that had been accomplished. 14.6 million dollars were generated for the bond program through that action.

9.0 FINANCIAL REPORT

Mr. Legaspi drew the attention of the committee to the two expenditure reports distributed in the agenda packets. He explained that one was the old, familiar report format, and the other was in the new report format as requested by the committee. Both reports presented data for identical reporting periods, differing only in format, with the new format breaking down and presenting each project's costs into object or activity codes.

12.0 COMMITTEE MEMBER COMMENTS

No comments were offered by committee members.

13.0 ADJOURNMENT

Motion to adjourn was made (Mr. Baker), seconded (Mr. Bouchard).

Meeting adjourned at 8:10 p.m.