



Victor Valley Community College District Citizens' Bond Oversight Committee Meeting Minutes

Date: June 15, 2011

Place: Victor Valley Community College, Board Room
18422 Bear Valley Road, Victorville, CA 92395

1.0 WELCOME, ROLL CALL AND CALL TO ORDER

The Victor Valley Community College District Measure JJ Citizens' Bond Oversight Committee met on Wednesday, June 15, 2011, in the Board Room of Victor Valley Community College. Diana J. O'Malley, chair, called the meeting to order at 1:35 p.m.

Roll Call: Diana O'Malley (CBOC), Michael Brewer (CBOC), Rudy Cabriales (CBOC), Richard Greenwood (CBOC); Diane Uli (CBOC), Tosca Walker (CBOC), Caroll Yule, (CBOC).

Excused: Sheri Schmoll (CBOC)

Also present: Christopher O'Hearn, (VVC Superintendent/President); G.H. Javaheripour, (VVC Vice President, Administrative Services); Steve Garcia (VVC Director, Facilities/Construction); Al McQuilkin (gkk works, District Program Manager) and Shirley Snell-Gonzalez, (VVC Administrative Assistant).

Seven (7) committee members present. Quorum was established.

2.0 PLEDGE OF ALLEGIANCE

Mr. Brewer led the group in a pledge to the flag.

3.0 INTRODUCTIONS

Diana O'Malley asked that those present introduce themselves as two new members (Michael Brewer and Richard Greenwood) were present.

4.0 AGENDA REVIEW

Ms. O'Malley called for changes, corrections, amendments to the agenda. The agenda was accepted as presented.

5.0 PUBLIC COMMENTS

No public comments were offered.

6.0 ACTION ITEMS

6.1 Approval of meeting minutes, March 16, 2011. Greenwood motioned, Yule seconded to approve this item. With no changes, corrections or amendments, the minutes of the March 16, 2011 meeting were unanimously approved.

ACTION: Minutes of March 16, 2011 were approved as presented.

6.2 Election of a Committee Chair - A motion was made and seconded (Yule/Walker) to extend Ms. O'Malley's term as Chair of the committee. Ms. O'Malley accepted the appointment. The motion was agreed upon unanimously.

ACTION: Diana O'Malley's appointment as Chair was extended.

- 6.3 Election of Committee Vice Chair – O'Malley/Walker to appoint Carol Yule as Vice Chair of the committee. Ms. O'Malley called for additional nominees. None were heard. Ms. Yule was approved by acclamation.

ACTION ITEM: Ms. Yule was elected Vice Chair of the CBOC Committee.

7.0 REPORTS/DISCUSSION

- 7.1 **Special Reports** – Mr. Javaheripour distributed an agenda item submitted to the June Board of Trustees as to a list of projects recommended by the Facilities Committee members based on operational and instructional calendars. This list included the following: Health Science Building expansion, Campus Energy Projects, various roadway and parking improvements, Vocational Complex expansion/renovations, a "One Stop" center Building 50 and 52, Music Building modernization, campus/I.T. Infrastructure and potential secondary effect projects.

This list is an estimate of what will be built and has been reviewed by the superintendent/president and subsequently the Board of Trustees to revamp plans to build facilities that will meet the needs of the students. The projects with engineering estimates will bring the total to approximately \$35 million; \$33 million from Bond funds and approximately \$1.7 from redevelopment funds. Specific dollar amounts were not listed on this board agenda, but have been presented to the Board of Trustees in a previous workshop.

Ms. O'Malley questioned a capital improvement plan with unassociated amounts. Mr. Javaheripour informed the committee that these are projects that have been approved. Individual contracts that are bid at a specified amount, project by project are taken to the Board of Trustees for approval. An example was given as to the engineer estimate for the cost of a roadway project which was \$3.8 million; the actual bid cost came in at \$2.2 million. The remaining \$1.6 million was returned to the bond fund.

Ms. Yule stated that it is the committee's responsibility to make sure that projects are within the bond funds and whether there are new items on this list that have not been previously discussed. Ms. O'Malley stated the Vocational Complex Expansion/Renovation has not specifically been discussed, nor has the Music Building modernization, but do fall within the language of the Bond.

The question was asked if there is a list of projects presented to the Board prior to construction. Mr. Javaheripour indicated that the list of projects have been presented to the Board. The item "Secondary Effect Projects" refers to projects that may arise from the primary projects. For example, when the One Stop Center is complete and several student service related operations move from Building 55 into the renovated space, Building 55 might be renovated to house other activities. Mr. Garcia stated that the projects would be "new construction" or modernization projects, within the bond language, not routine maintenance. These projects would be Board approved.

Ms. O'Malley stated that previously, with regard to Proposition 39, although requested for the last six months, there has been no written response from the bond attorney with regard to the legality of the expenditure. Mr. Javaheripour stated that there has been a verbal response, but he might have to enlist the assistance of the president (for that written response). O'Malley explained to the new members that there were some issues last year, with parking lot upgrades in which bond funds were being used. Ms. O'Malley explained that generally speaking any community college that has bond funds may try to do any project, but routine or annual maintenance/repairs are not allowed (i.e., painting, filling pot holes/patching roads). "Deferred maintenance" are projects that are bigger than routine or annual maintenance (i.e., tear up and replace roads

because they are past their useful life, replacing old equipment, etc.) are allowed. The larger scope of work qualifies maintenance projects as a bond project. The bond attorney felt the expenditures were justified. The attorney offered a verbal opinion, teleconferenced with the committee and expressed his opinion, but he has not provided his opinion in a written format.

Mr. Brewer stated that as this is an oversight committee, questions do arise from the Public; you want to have a response and not have to wait, especially two to three months for an answer. Do we have to wait until the following meeting to receive an answer? Ms. O'Malley stated that no. In this case the attorney did offer an opinion and it is reflected in the minutes. This constituency has been tough on passing bond funds. There are tangible results of what has been done, which will be seen later as the Public Safety Center will be toured. We can tell the public that the college is doing a good job with bond funds, which means something to the community. Dr. O'Hearn accentuated what was said with regard to staff conducting due diligence prior to bringing any project to the Board of Trustees and ultimately to this committee prior to and after their meetings. All projects are legitimately bond approved and well thought out.

7.2 Bond Project Updates and Expenditures

7.2.1 Public Safety Training Center – Al McQuilkin distributed copies of the Measure JJ Series 1 Bond Funds program budget showing expenditures through March, 2011. An explanation of the report was given as to revenues, expenditures, percentage of projects completed and funds remaining. Mr. Greenwood questioned the timeliness of the expenditure reports as they indicate expenditures through the fiscal quarter immediately before the CBOC meetings. Mr. Greenwood asked if the members could receive a monthly report. The staff indicated that an “unaudited” numbers report could be calculated, but the CBOC established procedures would have to be changed. Mr. Javaheripour emphasized the importance of a transparent process; if changes need to occur, or the process is adjusted, this can be done.

Mr. Garcia explained the expenditure report indicating that the green column, Series 1 Revenues, represent the planned projects; the blue column (Bond funds) indicates year-to-date expended numbers. Ms. O'Malley affirmed that this is not a budget advisory committee. Expenditures are reviewed after the fact, and the funds are approved and spent and not subject to change. Mr. McQuilkin stated that the reporting would always be approximately 1 to 1 ½ months delayed due to processing time required by the District and the County. Approximately 30 days are needed to reconcile the Contractor, District and the County records. Mr. McQuilkin stated that reconciliation occurs quarterly with one of G.H.'s staff.

Mr. Greenwood stated that if reconciliation occurs on a quarterly basis, March, June, September and December, could the CBOC meetings be held the immediate month following, i.e., April, July, October and January. Mr. Javaheripour gave a brief history as to how the quarterly meetings were set up. It happened that terms start April 1st and end March 31st. The positive point about the term of members is that a sitting president whose term is ending at the end of March may present the annual report to the Board of Trustees before the end of his/her term.

Mr. Javaheripour explained that there is a three layer process as to how bills are paid: 1). Contractors submit an invoice; 2). Mr. McQuilkin and Mr. Garcia review the invoice to ensure correctness; and 3). Fiscal Services reviews for accuracy and forwards to the County Superintendent's Office for review, where audits occasionally occur. Therefore, the process takes 30 – 45 days to

process. The process is more than reconciliation; it also shows whether or not figures were appropriately allocated.

A question was raised as to "solar installation", item 1B&C and whether or not it was related to the main campus solar project. It is a separate project. With regard to item 1C, Main Campus, Solar Project, final percentage shows 0.00%, but will be corrected to show "100%." Also, the report will be corrected to indicate that all Fund 71 monies (capital outlay funds, not GIC, Guaranteed Investment Contract funds) have been expended for the Main Campus Solar Project. Program Contingency, 1B, encompasses various changes in projects and would require approval by the Board of Trustees before change-orders are implemented. Only one has occurred; the District developed a solar project for the Public Safety Campus after contracts for construction of the campus was awarded to Highland.

7.2.2 Workforce Development Center – it was felt that this topic had been discussed adequately in item 7.2.1.

7.2.3 Main Campus – it was felt that this topic had been discussed adequately in item 7.2.1.

The committee members left to tour the Public Safety Training Center.

8.0 COMMITTEE MEMBERS' COMMENTS - none were expressed.

9.0 NEXT CITIZENS' OVERSIGHT COMMITTEE MEETING

The next regularly scheduled meeting is Wednesday, September 14, 2011 in the VVC Board Room at 1:30 p.m.

10.0 PUBLIC SAFETY TRAINING CENTER TOUR – Mr. Chris Hylton, Director of Maintenance and Operations, was introduced and will be transporting passengers to the Public Safety Training Center for a tour.

11.0 ADJOURNMENT

Immediately after the tour, the meeting was adjourned at 4:15 p.m. by Diana O'Malley.