
YUBA COMMUNITY COLLEGE DISTRICT
Citizens' Bond Oversight Committee
Yuba College, Administration Building, Board Room
4:00 – 6:00 p.m.
Tuesday, August 21, 2007

Minutes

**MEMBERS
PRESENT** Marc Boomgaarden, Dr. Ernest Garcia, Brent Hastey, Dr. Thomas Hewlett,
Eleanor Mackensen, Amanda Martinez, Pauline van Muyden and Cynthia White

**MEMBERS
ABSENT** Karl Diekman

**DISTRICT/
COLLEGE
PRESENT** Dr. Angela Fairchilds, *President Woodland Community College*, Dr. Nicki Harrington,
Chancellor Yuba Community College District, Dr. Adrian Lopez, *Director Public and
Governmental Relations* Paul Mendoza, *President Yuba College*, Rod Perry, *Director
Bond Facilities Construction*, Leela Rai, *President YCCD Board of Trustees* and Dr.
Wright, *Vice Chancellor Administrative Services*

**SUPPORTING
CONSULTANTS** David Casnocha, *Bond Counsel*, Jim Daniel, *DMJM*, Eloy Retamal, *DMJM and
Barbara Tracey, DMJM*

GUESTS George Nicholau, Linda Southard and James White

The first meeting of the Citizens' Bond Oversight Committee was called to order by Dr. Harrington at 4:05 p.m.

Agenda Item 1: Welcome by Board President, Leela Rai

President Rai introduced Trustee George Nicholau and welcomed the committee members. President Rai thanked the members on behalf of the Board of Trustees for agreeing to serve on the CBOC for the benefit of students and the District.

Agenda Item 2: Introductions and Meeting Overview, Dr. Nicki Harrington, Chancellor

Chancellor Harrington expressed her appreciation to the members for their commitment to serve on the CBOC. Committee members, District/College representatives and supporting consultants introduced themselves. Chancellor Harrington explained the role of DMJM as the Bond Program and Construction Management firm for Measure J Bond projects. Chancellor Harrington also informed the committee that the District is in the process of developing an Architect pool.

Agenda Item 3: Role of the CBOC, Dr. Willard Wright, Vice Chancellor Administrative Services

Dr. Wright welcomed all Committee members and explained that it was his role to oversee the Measure J campaign to structure the Measure J bond plan and that he is looking forward to working with the CBOC. Dr. Wright introduced Bond Counsel, David Casnocha of Stradling, Yocca, Carlson and Rauth explaining his role in the Measure J Bond Program. Mr. Casnocha stated he serves as Bond Counsel for about 90% of California's community colleges.

Agenda Item 4: Review of CBOC Bylaws, Mr. David Casnocha, Bond Counsel

Mr. Casnocha presented to the Committee the history of how Proposition 39 came about.

Review of Bylaws:

The CBOC shall have all the duties and rights set forth within the sections of the bylaws. It is the responsibility of the CBOC to inform the public concerning the District's expenditure of bond proceeds. The Committee will review quarterly expenditure reports produced by the District to ensure that bond proceeds are expended only for the purposes set forth in the ballot measure. Committee members are not empowered by the Board of Trustees, they are an advisory group and do not have legal capacity from the District. The Committee shall have all duties and rights set forth within the sections of the Bylaws. Mr. Casnocha distributed "*The Brown Act, Open Meetings for Local Legislative Bodies*" pamphlets, explaining the importance of following the procedures of the Brown Act. With regard to salaries paid directly out of bond funds, Mr. Casnocha explained that current law, as well as the state Attorney General opinion, provides that pre-identified district staff, working directly with bond projects are considered proper bond expenditure. The District will employ a total of three (3) positions that will be fully funded by Measure J funds. The Director of Bond Facilities Construction, Rod Perry, has already been appointed and two (2) positions, Purchasing Buyer and Bond Accountant, are in the process of being filled.

Amendment to Bylaws:

Any amendment to these bylaws shall be approved by a majority vote of the Yuba Community College District Board of Trustees.

Resolution No. 03/06 – Call for Election:

At its June 14, 2006 meeting, the Board of Trustees adopted the *Resolution ordering an Election, and establishing specifications of the election order*. Pursuant to Section 152878 of the Education Code, the District is obligated to establish the Citizens' Bond Oversight Committee in order to satisfy the accountability requirements of Prop 39 which shall have the duties and rights set forth in the Bylaws. Mr. Casnocha stated in Exhibit B that the Full Text Ballot Proposition was included in the Voter ballot and Proposition 39 requirements.

Mr. Casnocha stated the principal duties of the Committee are:

- Review of bond expenditures
- Inform the public of bond expenditures
- Submit an annual report summarizing expenditures and present to the Board of Trustees

Agenda Item 5: Status Reports, Dr. Wright and Rod Perry

The Measure J Bond Financial Report dated 8/21/07 was provided and discussed by Dr. Wright. Land acquisition sites for the Sutter County facility have been narrowed down to three (3). The District is working with a professional consultant, EDAW, Inc., to determine which of the three is the best alternative for the Sutter County facility. Each project team leader on the financial report will have an Architect assigned. The District has applied for State matching funds for five (5) of the Measure J priority projects; however there is no guarantee that funds will be available. College Presidents Mendoza and Fairchilds will work with DMJM and Rod Perry to develop a list of Measure J project priorities. Dr. Fairchilds indicated the two first priorities at Woodland Community College include the Building 700 remodel and the acquisition of land in Colusa County.

A question was asked regarding the total allocation, including contingency in allocation fund balance. The Board of Trustees will decide how these funds are allocated. If there is a deficit in any project(s), the Board of

Trustees will decide which projects will be adjusted. In response to another question regarding emergency generators, Rod Perry stated generators are not a state requirement but emergency lighting is required by the Division of State Architect (DSA). All buildings currently have backup lighting.

Dr. Wright introduced Linda Southard, Director of Fiscal Services. Ms. Southard will be responsible for the preparation of all financial documents for the CBOC.

Agenda Item 6: Selection of Committee Chair; Dr. Harrington

In accordance with the CBOC bylaws, each member shall serve a term of two (2) years, commencing on the date of the first meeting of the Committee with no member serving more than two (2) consecutive terms. Chancellor Harrington asked for volunteers to serve for an initial one (1) year term with the option of an additional two (2) year term in order to stagger terms for the purpose of committee continuity. Amanda Martinez and Brent Hastey volunteered to serve one year terms.

Chancellor Harrington appointed Brent Hastey as Committee Chair in accordance with the bylaws. Mr. Hastey accepted the two (2) year appointment as Chair. The Committee appointed Eleanor Mackensen as Vice Chair. A motion to approve the Vice Chair was submitted by Pauline van Muyden and seconded by Ernie Garcia; all in favor, no opposition.

A drawing will be conducted at the next meeting to determine staggered terms by area within the District.

Agenda Item 7: Meeting Calendar

The next Committee meeting will be held Monday, November 26, 2007. An email will be sent prior to this date confirming the time and place.

Public Comment

There were no public comments.

Agenda Item 8: Adjournment

The meeting adjourned at 6:05 p.m.