

CITIZENS' BOND OVERSIGHT COMMITTEE

MEETING MINUTES

Tuesday, September 20, 2016, - 5:30 PM

Evergreen Valley College, Library/ED. Tech. Center (LE) Building Mishra Room

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|-----------------|-------------------------------|--------------------------------------------------|
| <u>Present:</u> | Cory Demar | Student – Evergreen Valley College |
| | Bethel Kim | Student – Evergreen Valley College |
| | Daniel Kojiro | Community At-Large |
| | Johnny Lee | Community At-Large |
| | Carol Lizak | Community At-Large |
| <u>Absent:</u> | President Byron Breland | Administrative Services, SJCC |
| | Leo Cortez | Community At-Large |
| | Vice President Jorge Escobar | Administrative Services, SJCC |
| | Ann Kennedy | Gilbane |
| | Casey Michaelis | Gilbane |
| | Matthew Mahood | Business Community |
| | Elias Portales | Community At-Large |
| | Rose Regalado | Senior Citizen's Organization |
| | President Henry Yong | Administrative Services, EVC |
| <u>Staff:</u> | Chancellor Deborah Budd | SJECCD |
| | Peter Fitzsimmons | Director of Fiscal Services, SJECCD |
| | Owen Letcher | Director of Facilities and Bond Programs, SJECCD |
| | Vice Chancellor Douglas Smith | Administrative Services, SJECCD |
| | Linda Wilczewski | Controller, SJECCD |
| | Tim McBrian | Gilbane |
| | Scott Jewell | Gilbane |
| | Andrew Spiller | Gilbane |
| | Mike Chegini | Gilbane |
| | Anna Tiscareno | Gilbane |
| | Jeff Scogin | Gilbane |

AGENDA:

1. Call to Order
The meeting was called to order at 5:30 PM
2. Approval of Agenda
Daniel Kojiro / Bethel Kim
Unanimously approved
3. Approval of Minutes
The committee reviewed the previously distributed June 21, 2016 meeting minutes and asked for comments. There were no comments. Johnny Lee / Daniel Kojiro motioned and the committee unanimously approved the amended meeting minutes.
4. Public Comment – 3 Minutes per speaker with advance sign in
There were no public comments made.

5. Communications Received by Citizens' Bond Oversight Committee Members

There were no communications received.

6. Staff Reports

Vice Chancellor Smith gave a brief overview of the Staff Reports.

Vice Chancellor Smith informed the committee of the following:

- The 27 Acres General Plan Amendment is in review with the City Counsel. A public hearing is scheduled for late September 2016.
- A full accreditation study for both Evergreen Valley College and San Jose City College is scheduled for the middle of October 2016. The accreditation commission has a team for Evergreen Valley College and San Jose City College and has a chair that oversees both of these processes. The teams include a peer review and will be on the campuses from Monday, October 10, 2016 through October 15, 2016 to evaluate SJECCD. SJECCD completed a comprehensive self-study on both of the colleges.
- A "Local Community Colleges Update" handout was distributed during the meeting and will also be sent out publically. The Board of Trustees called for a general obligation bond election for November 8, 2016. SJECCD first obligation bond was in 1998, second obligation bond was in 2004, third obligation bond was in 2010 and now SJECCD is in the process of another obligation bond in 2016.

As you are aware an Educational Master Plan that the Board of Trustees approved in the fall of 2016 and followed by a comprehensive Facilities Master Plan that reflects the facilities perspective to serve the long term educational plan needs.

7. Review of Committee Membership

Vice Chancellor Smith gave a brief overview on the review of committee membership on behalf of Ms. Kennedy.

Vice Chancellor Smith informed the committee that SJECCD received an email correspondence message that Mr. Jimmy Nguyen resigned as chair, effective immediately.

Ms. Adriana Ayala was appointed to the committee by the Board of Trustees on June 14, 2016. After her appointment, she made the decision to teach as an adjunct professor at San Jose City College. Ms. Ayala recognized that this decision created a conflict of interest; and therefore she informed SJECCD that she would not be able to represent the Community-At-Large on the SJECCD Citizens' Bond Oversight Committee.

A community breakfast will be held in the next few weeks and the Citizens' Bond Oversight Committee is invited to attend and is encouraged to share ideals of recruitment for the Citizens' Bond Oversight Committee.

Mr. Lee suggested that the committee ask potential candidates to join the Citizens' Bond Oversight Committee.

Mr. Scogin informed the committee of the following vacant seats:

- Community-At-Large
- Taxpayer's Association
- Business Community

8. Preparations for Annual Report

Mr. Chegini informed the Committee of the upcoming preparation for the Measure G-2004 & Measure G-2010 Citizens' Bond Oversight Committee 2015-2016 Annual Report and asked the Committee for their interest in volunteering to participate for the 2015-2016 Annual Report working group.

The following Committee Members volunteered to assist in the 2015-2016 draft Annual Report preparation:

- Johnny Lee
- Bethel Kim

9. Project Updates

a. Mr. Jewell and Mr. McBrian gave a brief overview of the Measure G-2010 Bond Program project highlights regarding current status of the projects for the District Office, Evergreen Valley College and San Jose City College.

b. Mr. Jewell and Mr. McBrian gave a brief overview of the Measure G-2004 Bond Program project highlights regarding current status of the projects for the District Office, Evergreen Valley College and San Jose City College.

Mr. Lee asked when the building is occupied and there is fixed assets that need to be repaired, who is responsible for paying for the repair cost?

Mr. McBrian answered that the fixed assets are all under warranty and noted that the South Campus project at the Evergreen Valley College had minor items that were not discovered until after occupancy. Part of the challenges of opening a new building is to ensure that all of the systems work exactly as they were designed to or in some cases the design wasn't exactly right so adjustments are made to the systems to better accommodate the occupancy.

Prior to turning over the South Campus building to SJECCD an extensive punchlist was created which reflected a list of all the items that were visible and discoverable prior to the contractor leaving the project site.

Mr. Lee discussed the flooding of the Automotive Technology building at the Evergreen Valley College and was informed that it took 2 months for the contractor to fix the issue. Mr. Lee asked who paid for the damages and why did it take 2 months to be fixed?

Mr. McBrian answered that there were a few instances of flooding and when the incidents occurred it was addressed immediately and resolved. There were a couple of different issues that occurred as it related to occupancy. 1) A connection that passed a pressure test but after being in service for 6 months the connection failed and was repaired. 2) The source of the leak was determined to be a flanged connection which failed caused by using an inappropriate gasket for the heating hot water system.

Mr. Letcher noted that in each of those instances where there were water leaks in the building that caused the flooding, the contractor and the subcontractor who installed the work were responsible for the repair of the system and any damage to any equipment associated with the flooding in the building.

Ms. Lizak asked how long the retainage period is.

Mr. McBrian answered retainage is accumulated from the start of the job until the job is closed out and at that point SJECCD releases the retention. Retention isn't necessarily to protect or honor the warranty. The warranty is independent of the retention. Retention is to deal with potential claims or default of the contractor during the course of construction. Once that contract is completed and SJECCD is satisfied and accepts the building the retention is released.

Mr. Letcher noted that SJECCD holds 5% of the value of the work on certain contracts. SJECCD holds 5% of each payment application.

Mr. Jewell and Mr. Spiller gave a brief overview of the San Jose Evergreen Community College Extension project highlights regarding current status.

10. Program Financial Reports

a. Measure G-2010 and G-2004 Financial Reports:

Mr. Scogin presented an overview of the Measure G-2010 and G-2004 Financial Report on behalf of Ms. Kennedy from inception through June 30, 2016 and gave an update regarding the cost and schedule status of the program. Mr. Scogin noted that these reports represented reconciled data pending the close of the 2015/2016 fiscal year.

There were no “caution” projects to discuss for reporting period inception to June 30, 2016 of the San Jose City College, Evergreen Valley College, and District.

b. There were two Measure G-2010 Bond List Revisions during the reporting period ending June 30, 2016. The April 12, 2016 and June 14, 2016 Bond List Revisions were reported upon at the last meeting of the Citizens’ Bond Oversight Committee, held on June 21, 2016 and are included in the financial reports for this period.

There are three Measure G-2010 Bond List Revisions that occurred after the reporting period ending June 30, 2016 and prior to this meeting. These revisions took place at the following Board of Trustees meetings and are reflected in the reports:

- July 12, 2016
- August 30, 2016
- September 13, 2016

There was one Measure G-2004 Bond List Revision during the reporting period ending June 30, 2016. The June 14, 2016 Bond List Revisions was reported upon at the last meeting of the Citizens’ Bond Oversight Committee, held on June 21, 2016.

There was one Measure G-2004 Bond List Revision that occurred after the reporting period ending June 30, 2016 and prior to this meeting. This revision took place at the following Board of Trustees meeting and is reflected in the reports:

- August 30, 2016

Measure G-2010 and Measure G-2004 Financial Reports/Bond List Revisions:

Daniel Kojiro / Cory Demar

Unanimously approved

11. Proposed Future Meeting Dates

Mr. Scogin reviewed the 2016 and 2017 Citizens’ Bond Oversight Committee proposed future meeting dates, times, location, and asked the Committee for input/approval on the dates.

Vice Chancellor Smith suggested to reschedule the Tuesday, March 21, 2017 Citizens’ Bond Oversight Committee meeting to Tuesday, March 7, 2017 to accommodate Vice Chancellor Smith’s schedule. Corey Demar/Bethel Kim motioned and the committee unanimously approved to reschedule the March 21, 2017 Citizens’ Bond Oversight Committee meeting to Tuesday, March 7, 2017.

12. Future Agenda Items

No upcoming agenda items were discussed.

13. Adjournment

The meeting adjourned at 6:34 PM

The next scheduled meeting is Tuesday, January 17, 2017 at 5:30 PM – 7:00 PM. This meeting will be held at the San Jose Evergreen Community College Extension, Milpitas (conference room is to be determined).