

Meeting Minutes

May 14, 2014, 5:00 p.m., SBCCD Board Room

Members Present – Ken Coate, Bob Erikson, Richard Greenhagen, Sam Irwin, Valerie Lichtman, Albert Garcia, Patrick Kirk Dorsey

District Members Present – Gloria Macias Harrison, Board of Trustees; Cheryl Marshall, President, CHC; Mike Strong, Vice President, Administrative Services, CHC

Kitchell/BRJ Staff Present – Diana Johnson, Bond Program Manager; Sheila Nelson, Contract Analyst; Brooke Duncan, Project Manager

Guests Present – John Grow, Board Approved Director of Facilities, Planning & Construction

Welcome/Introductions

Ken Coate started the meeting at 5:12 p.m. Self-introductions were made. John Grow shared with the committee a bit about his background, including his experience as an architect and contractor, as well as with higher education and community colleges.

Approval of Minutes

Committee members reviewed the minutes from the February 26, 2014 meeting. Richard Greenhagen moved, and Valerie Lichtman seconded, to approve the minutes. The minutes were approved by the following vote:

Ayes: Ken Coate, Bob Erikson, Richard Greenhagen, Sam Irwin, Valerie Lichtman,
Albert Garcia, Patrick Kirk Dorsey
Noes: None
Absent: None
Abstentions: None

Public Comment

No members of the public were present.

Review of Board Items/Site Visits

Ken broached the topic of the Bond and Technical Assistance Program, which related to two board items:

- ♦ April 10, 2014 Approval of Preauthorization for a Bond, Insurance and Technical Assistance Program, and
- ♦ May 8, 2014 Approval of Professional Services Contracts – Merriwether & Williams

Kelly Goodrich advised the committee that Tim Oliver had anticipated attending the meeting but had been called out of town for a family emergency. She asked that the committee develop its question(s) regarding this issue, so they could be forwarded to the District.

Committee members discussed various aspects of and concerns with 1) the expenditure of bond funds on the Bond Assistance Program, and 2) the goals and processes of the program itself. Ken felt that he had been told previously that this type of expenditure was not legal under the Bond Program; money was being spent and no facilities were being constructed from the expenditure. They requested that the District address these concerns as soon as possible.

Gloria Macias Harrison explained that the program is an outreach to small contractors. She advised that there was a series of meetings with people from Kitchell, BRJ, the District, another consultant, and a law firm. She felt that Tim may have documentation.

After several minutes of discussion that touched on bond measure language, the Miller Act, and possible legal opinions, the Committee requested that the District provide a response to the following as soon as possible.

- 1) Is the contract with Merriwether Williams for the Bond and Technical Assistance Program a legal expenditure of bond funds? The Committee requested to see a legal opinion regarding this.
- 2) If it is a legal expenditure, is it within the purview of the CBOC members to weigh in on whether or not it's prudent?

Richard mentioned his concern about who was being helped by the outreach, and whether it was legal to help only a segment of the population. Who makes the decision on who gets helped?

Ken reiterated that the committee would like to get a response on this as soon as possible, before it gets "too far down the road".

There were no site visits on which to report. Valerie requested that the District reinstitute the project status presentation for each meeting. Diana Johnson said Kitchell would be happy to provide the presentation at the next meeting, and Kelly will add it to the agenda.

Adjournment

The committee scheduled the next meeting for June 25, 2014. Ken encouraged CBOC members to schedule a site visit before then.

Committee members thanked Patrick Kirk Dorsey, since it was his last meeting as he is graduating this week from Crafton Hills College and will no longer be able to serve on the committee.

Meeting was adjourned at 6:15 p.m.