



# Citizens Bond Oversight Committee

## Meeting Minutes

October 29, 2014, 5:00 p.m., SBCCD Board Room

Members Present – **Ken Coate, Richard Greenhagen, Albert Garcia** (*arrived 5:22 pm*), **Sam Irwin, Aladdin El Awar, Bob Erikson** (*left at 6:07 pm*)

Members Absent – **Valerie Lichtman**

District Staff Present – **Tim Oliver**, Interim Vice Chancellor, Business & Fiscal Services; **Mike Strong**, CHC Vice President of Administrative Services

Kitchell/BRJ Staff Present – **Mark Edwards**, Interim Bond Program Manager

Guests Present – Greg Bogh, Denise Allen-Hoyt, Raul Guedega, Frank Reyes, Dottie Oliver, Bill Perez, Linda Roberts-Ross

### Welcome/Introductions

Ken Coate opened meeting at 5:08 pm. Self introductions were made.

### Approval of Minutes

**Richard Greenhagen moved, and Bob Erikson seconded, to approve the minutes from September 18, 2014.** There were two corrections to the minutes:

- ♦ The date specified for a future meeting should be Wednesday, October, 29, 2014 and not Thursday.
- ♦ Bob Erikson should be added to the Members Absent section.

**The minutes were approved** with the changes noted by the following vote:

Ayes: Ken Coate, Richard Greenhagen, Sam Irwin, Aladdin El Awar, Bob Erikson  
 Noes: None  
 Absent: Albert Garcia, Valerie Lichtman  
 Abstentions: None

### Public Comment

Four members of the public commented. Greg Bogh and Raul Guedega spoke out against the District’s proposed Community Benefits Agreement (CBA). Bill Perez, speaking on behalf of the Riverside/San Bernardino Building & Construction Trades Council, spoke in favor of the CBA. Denise Allen Hoyt spoke as a member of the CHC Faculty Senate and the District Budget Committee, and was neutral about the CBA, asking only that a decision to approve the Agreement be delayed until the shared governance process can take place.

Richard commented that discussion of a CBA at the SBCCD has been ongoing for the past six years and asked Denise if she were aware of that. She replied that she was not. It was mentioned that a presentation was made to the Board of Trustees about a CBA in 2011. Denise advised the CBOC that she first introduced the topic to the District Budget Committee (DBC) on October 16, 2014, and that the DBC discussed it at length, resulting in a formal recommendation to

Chancellor's Cabinet to request a delay in the approval of such an agreement. At Tim Oliver's request, DBC Recommendation Letter 2014-02 was brought up on screen. Members reviewed the letter and the Chancellor's response.

### **Review of Education Code on Section 5 (Oversight Committees)**

Ken called the committee's attention to Ed Code 15278, which had been distributed to committee members with the agenda. He highlighted the following excerpt.

- (5) Reviewing efforts by the school district or community college district to maximize bond revenues by implementing cost-saving measures, including, but not limited to, all of the following:
- (A) Mechanisms designed to reduce the costs of professional fees.
  - (B) Mechanisms designed to reduce the costs of site preparation.
  - (C) Recommendations regarding the joint use of core facilities.
  - (D) Mechanisms designed to reduce costs by incorporating efficiencies in school-site design.
  - (E) Recommendations regarding the use of cost-effective and efficient reusable facility plans.

### **Board Item: Approval to Proceed Toward the Development of a Community Benefits Agreement for Measure M Projects**

Given the legal directive in Ed Code 5 of "Reviewing efforts by the school district or community college district to maximize bond revenues by implementing cost-saving measures..." Ken asked committee members to consider whether they were ready to make a recommendation either for or against the CBA. A lengthy discussion ensued that revolved around materials distributed to the committee.

Items distributed with agenda:

- ♦ [2014-10-29 Education Code 15278-15282](#)
- ♦ [2014-10-29 Section Five Best Practices](#)
- ♦ [2014-10-29 Borrowing-Transparency-Management Best Practices](#)
- ♦ [2014-10-29 First Cost Reduction Strategies in School Construction](#)
- ♦ [Consideration of Approval to Direct the District to Proceed Toward the Development of a Community Benefits Agreement for Measure M Project](#)

Items distributed prior to the meeting or at the meeting:

- ♦ [2014-10-29 PLA Best Practices Summary](#) *(Distributed via email prior to the meeting.)*
- ♦ [2014-10-29 Measuring the Cost of Project Labor Agreements](#) *(Distributed via email prior to the meeting.)*
- ♦ [SBCCD District Budget Committee Recommendation 2014-02](#) *(Reviewed by Committee onscreen.)*
- ♦ [2014-10-29 State Building Construction Trades Council - Anti-PLA Study Brought by ABC Debunked by Reputable Economist](#) *(Submitted by Richard at the meeting.)*

There were comments both for and against the agreement. **Bob Erikson left the meeting at 6:07 p.m.** Members agreed that the CBOC didn't have enough evidence to render a

recommendation on whether or not the adoption of a CBA represented a "cost-saving measure". There was frustration expressed by CBOC members that the Chancellor's response to DBC Recommendation 2014-12 seemed to "blow past" that committee's request for time to understand the CBA and its impact.

**Richard moved that the CBOC recommend to the SBCCD Board of Trustees that it move forward with a vote on the CBA at its November meeting.** Richard felt this action would provide the CBOC a chance to review the agreement, as indicated in the Chancellor's response to DBC Recommendation 2014-02: *"During public comment, the public will have a chance to address the Board to express the opinions, facts, etc. which support both sides of the argument for or against these types of labor agreements."* **Sam Irwin seconded the motion for purposes of discussion**, and said that he was not ready to make such a recommendation.

Ken stated his opinion that if the CBA goes to the November Board of Trustees meeting, it will be signed without an adequate opportunity for the CBOC to review it. **The committee voted on the motion as follows and it was not passed:**

Ayes: Richard Greenhagen, Albert Garcia  
Noes: Sam Irwin, Ken Coate, Aladdin El Awar  
Absent: Valerie Lichtman, Bob Erikson  
Abstentions: None

After further discussion, **Sam moved, and Aladdin seconded, that a letter be written from the CBOC to the Chancellor and the Board of Trustees that the CBOC doesn't have the info necessary to do a Section 5 analysis (i.e. to determine if the CBA/PLA is a cost saving measure).**

Ken said the Board of Trustees should be influenced by this opinion of the CBOC, and that it should wait for the CBOC to get the information it needs before the making its decision regarding a Community Benefits Agreement. Sam said it is significant for the Board of Trustees to "blow by" the District Budget Committee and the CBOC.

**The motion was approved** with the following vote:

Ayes: Ken Coate, Richard Greenhagen, Sam Irwin, Aladdin El Awar, Albert Garcia  
Noes: None  
Absent: Valerie Lichtman, Bob Erikson  
Abstentions: None

Ken will draft a letter and forward it to the Chancellor Bruce and Board of Trustees.

## **Review of Other Board Items & Site Visits**

Ken advised that he made a visit to Crafton Hills College. There were no other comments on board items.

## **Annual Report**

Ken indicated that an annual report could not be written until the CBOC has worked through the current year's issues. He will plan on drafting his report at that time and presenting it at the December or January Board of Trustees meeting.

### **Membership Terms**

As this is the end of his second term, Richard will no longer be a member of the CBOC. The committee thanked him for his dedication and four years of service as a member at large.

### **Future Meetings**

The next meeting was set for Wednesday, December 10, 2014 at 5:00 p.m. It will be the CBOC annual meeting, with election of Chair and Vice Chair taking place.

### **Adjournment**

The meeting was adjourned at 6:15 p.m.