



# Citizens Bond Oversight Committee

## Meeting Minutes

December 10, 2014, 5:00 p.m., SBCCD Board Room

Members Present – **Alaa El Awar** (*arrived 5:25 pm*), **Albert Garcia**, **Bob Erikson**, **Frank Reyes**, **Ken Coate**, **Linda Roberts-Ross**, **Sam Irwin**, **Valerie Lichtman**

Members Absent – None

District Staff Present – **Cheryl Marshall**, CHC President (*arrived 5:44*); **Jose Torres**, Director of Fiscal Services; **Larry Strong**, Director of Internal Audits; **Mike Strong**, CHC Vice President of Administrative Services, **Tim Oliver**, Interim Vice Chancellor, Business & Fiscal Services

Kitchell/BRJ Staff Present – **George Johnson**, Bond Program Manager

Guests Present – **Heidi White**, Vavrinek, Trine, Day & Company; **Greg Bogh**, Yucaipa City Councilman & Contractor; **Tom Brickley**, Brickley Environmental; **Alexis Panaguition**, CHC Student Trustee; **Dave Everett**, Government Affairs Director, Associated Builders and Contractors, Inc.; **Eric Christen**, Executive Director of the Coalition for Fair Employment in Construction

### Welcome/Introductions

Ken Coate opened the meeting at 5:05 pm. Self introductions were made.

### Approval of Minutes

Valerie Lichtman moved, and Sam Irwin seconded, to approve the minutes from October 29, 2014. **The minutes were approved** by the following vote:

Ayes: Albert Garcia, Bob Erikson, Frank Reyes, Ken Coate, Linda Roberts-Ross, Sam Irwin, Valerie Lichtman  
Noes: None  
Absent: Alaa El Awar  
Abstentions: None

### Election of Chair and Vice Chair

Following Sam's nomination, the committee unanimously **re-elected Ken as chairperson**. Frank Reyes nominated Linda Roberts-Ross for vice chair, and Ken nominated Sam. After a brief discussion, the **committee elected Sam as vice chair**.

### Public Comment

Four members of the public commented on the Community Benefits Agreement (CBA).

- ♦ Greg Bogh, Yucaipa City Councilman and local, non-union contractor, said that after attending the SBCCD Board of Trustees study session on November 17, he felt the proposed agreement will waste millions of dollars. He suggested the CBOC conduct a survey of contractors to get their opinion of how a CBA affects things like turnaround time for submittals, pay application processing, red tape, etc. He felt the CBA would prevent contractors from bidding on District projects.
- ♦ Eric Christen, who is the Executive Director of the Coalition for Fair Employment in Construction, presented material to the committee which will be submitted to the Board of Trustees on December 11. He represents a coalition of union and non-union companies that

was established for the purpose of opposing project labor agreements. He stated that the proposed CBA is asking the District to radically alter the way it does business and he doesn't understand why the District would want to do that.

- ♦ Dave Everett, Government Affairs Director for the SoCal Chapter of the Associated Builders and Contractors, Inc. (ABC), advised the CBOC that his organization conducts apprenticeship programs. He stated that the CBA would prevent their apprentices from working on SBCCD jobs. He also felt that the CBA's requirement that contractors use five of their employees and five from the union would cause adversarial conditions.
- ♦ Tom Brickley of Brickley Environmental in San Bernardino spoke to the CBOC, saying that his company has done a lot of work with SBCCD. Mr. Brickley indicated that when his firm worked under a CBA in the past it had to hire one union worker for every existing worker. This slowed work and increased costs. In addition, he was unfamiliar with the caliber of the workers.

### **Review of 2014 Independent Audit**

Heidi White of the auditing firm, Vavrinek, Trine, Day & Company, reviewed the 2013-14 audit with the committee. Ken asked how the auditors define what is in accordance with the bond. Ms. White answered that they refer specifically to the voter pamphlet. In addition, they review operations to determine if there are there bid procedures in place, and if the project is managed according to budgetary and district guidelines. If they notice items that don't look as if they should be bond funded, they check with bond counsel. The SBCCD bond program audit had no findings or questioned costs.

### **CBOC Recommendation/Comments to the Board of Trustees Regarding a Community Benefits Agreement (CBA) for Measure M Projects**

Committee members discussed the task of forming a recommendation regarding the CBA. Ken asked for a motion. **Valerie moved that the CBOC support the PLA, and Albert Garcia seconded.** Linda said she reviewed the materials and is a little concerned because there are so many unknowns – the agreement itself just became available. She questioned how the agreement going to enhance the quality of construction. Sam asked why the District was making this move. He took exception to the part of the agreement that neutralizes the workers' ability to strike. Albert Garcia asked the committee to vote. **The motion was defeated** by the following vote:

Ayes: Albert Garcia  
Noes: Ken Coate, Sam Irwin, Alaa El Awar, Linda Roberts-Ross, Valerie Lichtman, Bob Erikson, Frank Reyes  
Absent: None  
Abstentions: None

Alaa **made a motion that the CBOC oppose the Community Benefits Agreement.** Linda seconded the motion and it was put to a vote. **The motion was approved** as follows:

Ayes: Ken Coate, Sam Irwin, Alaa El Awar, Linda Roberts-Ross, Valerie Lichtman, Bob Erikson  
Noes: None  
Absent: None  
Abstentions: Albert Garcia, Frank Reyes

**Ken advised the committee that he would pass its recommendation along to the Board of Trustees at its meeting December 11.**

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

There were no comments on board items or site visits.

### **Future Meetings & Adjournment**

The next meeting of the CBOC was scheduled for Wednesday, January 28, 2015 at 5:00 p.m.  
The CBOC adjourned at 6:40 p.m.