Independent Citizens' Bond Oversight Committee **June 20, 2017**
Meeting Minutes **(Approved August 15, 2017)**

Members Present:	Debbie Barnum	Lee Reich
	Raye Clendening	Juana Reyes
	Dick High	Yolanda Silva
	Ted Owen	
Others Present:	Geoff Bachanas	Tom Macias
	Lauren Dacey	Charlie Ng
	John Dacey	Katie White
	Kristen Huyck	

The meeting was called to order at 2:03 p.m. by Charlie Ng. Committee introductions were made.

I. Review Draft of Independent Citizens' Bond Oversight Committee (ICBOC) Handbook—Comments/Suggestions

The committee reviewed the Independent Citizens' Bond Oversight Committee (ICBOC) handbook, reviewed the committees' responsibilities, and reviewed what has taken place so far as a committee:

- Measure MM passed in November 2016
- ICBOC established
- ICBOC held first meeting and determined board positions

Debbie Barnum handed out to the committee a paper on *Oversight Committee Best Practices* that was approved by the San Diego County Taxpayers Association (SDTPA). This handout can also be found on the SDTPA website.

Discussion was held on changing the number of meetings the committee meets in a year from four times per year to eight times per year. Members were advised that all meetings are covered under the Brown Act and meeting agendas must be posted 72 hours in advance of any meeting. John Dacey further advised the committee on the Brown Act and communications outside of the meeting and what can and cannot transpire. All public entity meetings must be open to the public. Closed session meetings are an exception, however, topics are very limited on what can be discussed. Most items under this committee are open to the public. The public may speak at meetings by submitting a request to the committee and they will have an allotted time they can address the committee. Committee members cannot respond to the questions during the meeting, however, the Committee Chair can direct staff to provide the response to the citizen, and the committee will be copied on the response. Due to all committee business being done as a committee, the committee cannot gather as a majority outside a meeting to discuss the bond. Anything over three persons is considered a meeting. Be careful of email chains as well. This type of communication is not open to the public and would be violating the act—this also includes social media.

Debbie Barnum made a recommendation to establish subcommittees, i.e. finance and construction. Juana Reyes brought to the committee's attention under Bylaws—5.8 Authority of Members, it reads "…the Committee shall not establish sub-committees for any purpose." This will need to be changed in the Bylaws so that the committee will have the

ability to establish subcommittees. In order to have subcommittees, the bylaws will need to be amended, and John Dacey stated that a motion would need to be made to establish subcommittees. Subcommittees will not have any authority and would make recommendations only. This will be added to a future agenda for further discussion.

Under Conflict of Interest, if a committee member feels there is a conflict of interest, notify the committee chair who will advise the district, who will notify John.

Kitchell will be managing the building program, FMP, environmental reports, building design review, and they have established a timeline which will be available for the August meeting. The first draw will be $100M and based upon the schedule, we expect to spend 85 percent of this within three years. We have a schedule and will have that information at the next meeting in August. The project will take approximately seven to ten years.

John Dacey pointed out to the committee that Attachment A is the benchmark to follow. If you do not see things are being followed, you need to bring it to the committees' attention. He shared with the committee under I-VII, the project list can change over time due to the educational master plan changing. John reviewed fiscal accountability and shared there is a legal opinion from the state attorney general stating administrative and teacher salaries cannot be paid from bond funds. However, funds can be used to pay salaries for Kitchell and it can also be used to hire a MCCD employee who works on the bond. A question was raised if both salary and benefits can be paid through the bond. John thinks the answer is no. This is a question we could put to bond counsel for the answer (David Casnocha). Bond funds cannot be used to for teacher or administrator salaries.

Charlie shared with the committee if the district has LRB loans outstanding, the bond language allows the district to pay off these loans. Our finance team has been directed to draw up a resolution to address this item to be paid off. By paying this off, it will give us a better bond rating.

John suggested to the committee to review the link to Robert's Rules of Order for how meetings should be run. The committee reviewed the contact list and gave their preference on what information can be shared with the public. Committee members are not obligated to have their numbers listed. Lee and Dick stated it is okay to list their home number and Juana would like only her email address listed.

A brief discussion was held on how the committee would like to receive their information. The committee would like to receive it both electronically and by paper. Members will be sent the information electronically where they will be able to print it out. Three members requested that their information be mailed to them: Dick, Lee and Ted. It was proposed that the meeting information be sent out as far as possible, following the Brown Act timeframe.

II. Mock Motion Requesting the Board of Trustees to Amend the ICBOC Bylaws to Increase Regularly Scheduled Meetings

The motion today is not official and will need to be handled at an upcoming meeting. A motion will need to be made at a committee meeting requesting to increase the number of meetings from four to eight. This will allow for flexibility to hold additional meetings as needed above the current four established under the Bylaws. An additional motion will need to be made to amend Section 5.8c of the Bylaws to allow subcommittees of the ICBOC to be designated as a whole within our jurisdiction. A roll call will need to be made to approve the motion. Once the motion is approved, it will move to becoming a board item to be approved by the board of trustees.

Please review the bylaws before the next meeting in case anything further needs to be changed. If there is anything further, please notify the committee chair prior to the next meeting.

III. Mock Review and Motion of the Minutes from the Initial Quarterly Meeting

Reviewed procedure of making a motion to approve meeting minutes.

IV. Open Forum for Questions and Answers from ICBOC Members

None.

V. Standing Reports—Format and Detail

Debbie reviewed the standing reports—format and detail she would like to have at meetings. Typically there are standard reports that are provided on a monthly basis. If we could get an overall report (schedule) that would help the committee dive in and understand the projects. i.e. delivery project, design, lease, build. If we do it in a simplified form, that would be helpful. Debbie would like to know:

1. Who we currently have negotiated contracts with? Architects? Design, bid, seal?
2. What is the overall budget and how much has been let? A one-page report showing the architect, project manager, and change order costs.
3. Debbie inquired as to the type of reports Kitchell will be producing.

Due to the volume of information that can be produced, John Dacey suggests that we show whether the projects are on track or whether or not they have gone off course. All the data will be available to the committee if they wish to receive it.

Debbie has some samples of reports she will send to Charlie for review. Charlie advised the committee that he and John are working with a PMO firm to define what the reporting will look like.

VI. Adjourn

Meeting adjourned at 3:41 p.m.