

MINUTES OF THE CITIZENS' BOND OVERSIGHT COMMITTEE MEETING  
JULY 16, 2020

Members Present

Dwight Tate  
Eva Petty  
Fauzia Rizvi  
Jason Hunter  
Michael Vahl  
Patricia Reynolds  
Philip Falcone  
Warren Avery

Staff Present

Aaron Brown, Vice Chancellor, Business and Financial Services  
Rebecca Goldware, Vice Chancellor, Institutional Advancement and Economic Development  
Hussain Agah, Associate Vice Chancellor, Facilities Planning and Development  
Bart Doering, Director, Facilities Development  
Majd Askar, Director, Business and Financial Services  
Marisa Yeager, Director, Government Relations

PLEDGE OF ALLEGIANCE

Member Falcone led the Pledge of Allegiance.

CALL TO ORDER

Rebecca Goldware, Vice Chancellor, Institutional Advancement and Economic Development acting in lieu of a Chair, called the Citizens' Bond Oversight Committee (CBOC) meeting to order at 3:07pm via teleconference.

INTRODUCTION OF NEW MEMBERS

Vice Chancellor Goldware introduced the new members: Dwight Tate, College Advisory Organization; Eva Petty, Student Representative; Fauzia Rizvi, Community Member-at-Large; Patricia Reynolds, Tax-Payer Association; and Warren Avery, Business Community.

Vice Chancellor Goldware thanked Jason Hunter on behalf of the administration and Trustees for fulfilling two years of service on this committee due to the term end date in August.

COMMITTEE ORGANIZATION - SELECTION OF CHAIR AND VICE CHAIR

The floor was open for discussion for the selection of Chair and subsequently, a Vice Chair for the CBOC. Nominations were asked for. Member Petty asked about Member Hunter's nomination at the last CBOC meeting and if the term limit needed to be discussed. Member Hunter stated the nomination would be accepted by Member Petty for Member Hunter be elected as Chair.

Member Petty moved to nominate Member Hunter for Chair. There were no other nominations or discussion. Motion carried. (Vote: 7 ayes, 1 no)

Chair Hunter called for Vice Chair nominations. Chair Hunter discussed that at the last CBOC meeting Member Petty was nominated for Vice Chair and Chair Hunter would like to nominate Member Petty again as Vice Chair. Motion carried. (Vote: 8 ayes)

## COMMENTS FROM THE PUBLIC

Chair Hunter requested public comments be held at the beginning of the meeting. There was no opposition and all members agreed to an extra comment period at the beginning of the meeting.

The public comments structure was discussed by Chair Hunter and how public comments should be submitted to District staff as stated on the CBOC Agenda, but no comments were received in advance to today's meeting. This will be addressed on the next CBOC meeting agenda per staff.

## MINUTES OF THE CBOC MEETING OF FEBRUARY 4, 2020

Chair Hunter moved that the CBOC members approve the minutes of the CBOC Meeting of February 4, 2020. Motion carried. (Vote: 8 ayes)

## MEASURE C FINANCIAL UPDATE

Majd Askar, Director, Business and Financial Services presented the Measure C Financial Update. The Project Commitments Summary Report highlighted information from the expense report from April 2020 through June 2020. The Capital Program Executive Summary (CPES) Report was discussed for the quarter and Chair Hunter asked about spending all of the Measure C funds.

## MEASURE C PROJECTS UPDATE

Hussain Agah, Associate Vice Chancellor, Facilities Planning and Development presented the Board Reports from April 2020 through June 2020 Using Measure C Funding and Measure C Project Summary Status updates. No questions or public comments were received for this item.

## BUSINESS FROM COMMITTEE MEMBERS

### REVIEW OF DRAFT 2019-20 CBOC ANNUAL REPORT

Vice Chancellor Goldware provided the Draft 2019-20 CBOC Annual Report to the committee. Chair Hunter discussed the history of the CBOC Annual Reports to members and members thanked staff for the production of the report.

Chair Hunter moved the committee approve the Draft 2019-20 CBOC Annual Report. Motion carried. (Vote: 8 ayes)

Chair Hunter asked staff to notify the committee when the report goes to the Board of Trustees for approval and encouraged the committee to attend the future Board meeting. No questions or public comments were received for this item.

## ICBOC BYLAWS

Chair Hunter requested the Independent Citizens' Bond Oversight Amended and Restated Bylaws be discussed with the committee. Chair Hunter provided an interpretation of the committee's history, purpose and defined the word independence.

Chair Hunter proposed three amendments to the bylaws: (1) Add a Section 5.5.1 that states that members of the committee may be reappointed by the committee upon request subject to Section 5.4 which describes the terms. (2) Section 5.6 recommend the change to read that the committee may remove any committee member for cause. A committee member shall be sufficiently noticed

of the allegations and have an opportunity to respond at the next committee meeting to any such proposed removal. Upon a member's removal, his or her seat shall be declared vacant. The Board in accordance with the established appointment process, shall fill any vacancies on the committee and the District shall seek to fill vacancies within 90 days. (3) Section 10 proposing any amendment to these bylaws shall be approved by the majority of the committee.

Chair Hunter asked for questions from the committee about the amendments and then opened the item for public comments. Member Reynolds and Rizvi asked to review the proposed bylaw changes in writing. Member Tate asked to move this item to the next CBOC meeting.

During member discussion about this item, Chair Hunter stated he had emailed committee members all of the proposed changes/amendments. Chair Hunter said that if anyone would like to have a copy of the proposed changes, he would send them. Staff requested a copy. Staff also noted concern of possible Brown Act violation.

Chair Hunter proposed postponing the item to the end of the meeting, allowing members time to review what was sent. Motion failed. (Vote: 3 ayes, 5 noes). Member Vahl motioned to table this item to a future meeting. Motion failed due to tie. (Vote: 4 ayes, 4 noes)

Chair Hunter motioned to adopt the current bylaws as recommended by adding Section 5.5.1; amending Section 5.6 and amending Section 10 as proposed by the Chair: (1) Adding a Section 5.5.1 that says, members of the committee may be reappointed by the committee upon request subject to Section 5.4. (2) Amending Section 5.6 to read the committee may remove any committee member for cause. A committee member shall be sufficiently noticed of the allegations and have an opportunity to respond at the next committee meeting to any such proposed removal. Keeping the rest of Section 5.6 the same beginning with, upon a member's removal. (3) Amending Section 10 to state that any amendments made to these bylaws shall be approved by the majority vote of the committee. Secondly, to form an ad hoc committee, led by the Chair, to vet the current bylaws and promote or propose any other changes at the next meeting for formal adoption of the full bylaws by the committee. Thirdly, to have the Chair write a letter to the Board explaining the changes made to the bylaws and requesting the committee have a more formal role in appointment process. Motion failed. (Vote: 3 ayes, 4 noes) Public comments were received after the discussion item.

#### GROUP VISIT TO THE CAMPUSES

Member Rizvi requested a tour of the District campuses for members to see the history of what has been done with Measure C. Member Petty asked if virtual tours would be made available for members. Vice Chancellor Brown said that the District would get back to the committee about a future tour and Chair Hunter would follow up with Vice Chancellor Brown on options for the tour. Public comments were received after the discussion item.

#### ADJOURNMENT

The CBOC Committee adjourned the meeting at 5:04pm.