



WEST HILLS COLLEGE COALINGA

WEST HILLS COMMUNITY COLLEGE DISTRICT
9900 Cody Street
Coalinga, CA 93210

AGENDA OF THE CITIZENS OVERSIGHT COMMITTEE FOR SCHOOL FACILITIES IMPROVEMENT DISTRICT (SFID) No. 2 - MEASURE C

DATE: Thursday, March 7, 2013
TIME: 6:00 p.m. (dinner at 5:30 p.m.)
LOCATION: West Hills College Coalinga
300 Cherry Lane
Building R, Room 10A
Coalinga, CA 93210

Any writings or documents that are public records and are provided to a majority of the Citizens Oversight Committee regarding an open session item on this agenda will be made available for public inspection in the West Hills Community College District Office located at 9900 Cody Street, Coalinga, CA 93210 during normal business hours.

1. Call to Order

- A. Flag Salute
- B. Public Comments

This time has been reserved for the public to comment on non-agenda items. If an individual wishes to address the Citizens Oversight Committee, he/she should state his/her name and occupation/affiliation and proceed with comments.

2. Action Items

- A. Consideration of approval of minutes from October 9, 2012 meeting
- B. Annual Report - January 2013
- C. Consideration of 2013 Meeting Schedule Change

3. Information/Discussion/Presentations

- A. Introductions (Richard Hill)
- B. Review of Audit Report 2011/2012 (AP Architects)
- C. Trustee Report - Facilities January 2013 (AP Architects)
- D. Annual Review of the Bylaws/Membership (Carole Goldsmith)
- E. Committee Re-elections (Carole Goldsmith)
- F. Measure C/SFID 2 Projects, Cash Flow and Expenditures (AP Architects/Carole Goldsmith)
- G. Outreach/Learning Centers Update (AP Architects/Carole Goldsmith)

4. Announcements and Upcoming Events

- Next meetings of the Citizens Oversight Committee for SFID #2
- October 24, 2013 - TBD

5. Committee Members Comments and Requests

6. Adjournment



WEST HILLS COLLEGE COALINGA

DRAFT MINUTES OF THE CITIZENS OVERSIGHT COMMITTEE FOR School Facilities Improvement District (SFID) No. 2 - MEASURE C

DATE: Tuesday, October 9, 2012
TIME: 6:00 p.m. (dinner at 5:30 p.m.)
LOCATION: West Hills College Coalinga
300 Cherry Lane
Building R, Room 10A
Coalinga, CA 93210

COC Attendees: Gerald Butler, Mike Isaac, Richard Hill and Ralph Gorrill

Others present: Richard Treece, Ken Stoppenbrink, Tom Harris and Lorna Davis

1. Call to Order

- A. Richard Hill called the meeting of the Citizen's Oversight Committee to order at 6pm and then led the Flag Salute
- B. Public Comments
There were no public comments made at this time

2. Action Items

- A. Consideration of approval of minutes from May 22, 2012 meeting
A motion was made by Ralph Gorrill to approve the minutes from May 22, 2012, seconded by Gerald Butler, motion carried unanimously.

3. Information/Discussion/Presentations

- A. Introductions
Interim President Tom Harris introduced himself to today's attendees.
- B. Bylaws/Membership
Tom Harris noted that there are several vacancies and he asked how the committee would like to proceed in filling the vacancies. Discussion took place on approaching various community members. It was decided that applications would be distributed to interested citizens by Richard Hill and Ralph Gorrill. Applications are to be returned to Tom Harris in two weeks (October 23).
- C. Trustee Report - Facilities September 2012
Richard Treece discussed this report with today's attendees. He also reported that NDC projects are going well. Tom Harris said to visit the campus if you get a chance to see the changes.

D. Measure C/SFID 2 Projects, Cash Flow and Expenditures

Richard Treece reported on the cash flows and expenditures. He shared that funding sources are needed for some projects. Ken Stoppenbrink shared that the partnership between the City of Coalinga and the district is a good one.

Series bond sales were discussed, followed by discussion on revisions. The idea of dropping and replacing older buildings on campus rather than modernize was discussed. Richard said adjustments are done as projects go along. The initial project lists started in 2008, and some projects may drop off because of overages and will be discussed further at the next meeting. Surplus dollars will be rolled into other projects.

Tom Harris said that the Farm of the Future Open House will be held in the spring (hopefully by the spring rodeo event date).

E. Outreach/Learning Centers Update

Richard Treece reported that sites have been looked at, and at this time none seem adequate. Tom Harris shared that dialogue is ongoing, and the college is looking to partner with the City, K-12 system. Remodeling is also a possibility. Ken Stoppenbrink said the new president will pick this up and move forward.

4. Announcements and Upcoming Events

Next meetings of the Citizens Oversight Committee for SFID #2

January 22, 2013 – This is the annual meeting and Richard Treece will prepare the annual report for approval.

May 21, 2013

September 24, 2013

5. Committee Members Comments and Requests

Good luck offered to Richard Hill and all the upcoming candidates. No other comments at this time.

6. Adjournment

Richard Hill adjourned the meeting at 7:52pm.

**Citizens' Bond Oversight Committee
SFID #2 (Coalinga Area) / Measure C**

Committee Members and Terms

Current/Active Members:

Name of Committee Member	Date of Board Appointment	Representation	Committee First Term	Committee Second Term	Committee Third Term (effective 1/1/13)
Ralph Gorrill	3/20/2009	Business Representative	3/20/09 – 3/19/11	3/20/11 – 3/19/13	
Richard Hill	3/20/2009	Community Member/At-Large	3/20/09 – 3/19/11	3/20/11 – 3/19/13	
Mike Isaac	3/20/2009	College Support Organization Member	3/20/09 – 3/19/11	3/20/11 – 3/19/13	
Ron Lander	3/20/2009	Community Member/At-Large	3/20/09 – 3/19/10	3/20/10 – 3/19/12	
Gerald Butler	4/26/2011	Student	4/26/11 – 4/25/13		
Roger Campbell	4/26/2011	Community Member/At-Large	4/26/11 – 4/25/13		
Sylvia Chavez	5/17/2011	Community Member/At-Large	5/17/11 – 5/16/13		
VACANT		Senior Citizen Group Representative			
VACANT		Taxpayer Organization Member			

Past Members:

Name of Committee Member	Date of Board Appointment	Representation	Committee First Term	Committee Second Term	Committee Third Term (effective 1/1/13)
Lisa Carrana	3/20/2009	Student	3/20/09 – 3/19/11		
Dixie Welborn	3/20/2009	Senior Citizen Group Representative	3/20/09 – 3/19/11		
James Yates	3/20/2009	Business Representative	3/20/09 – 3/19/10		
Carol Kreamer	10/27/2009	Senior Citizen Group Representative	10/27/09 – 10/26/11		

The Committee shall consist of a minimum of seven (7) members:

- One (1) member active in a business organization representing the business community located in the District
- One (1) member active in a senior citizen's organization
- One (1) member active in a bona-fide taxpayers association
- One (1) member shall be a student who is both currently enrolled in the District and active in a community college group, such as student government
- One (1) member shall be active in the support and organization of a community college or the community colleges of the District
- Two (2) members of the community at-large appointed by the Board

**SCHOOL FACILITIES DISTRICT NO. 2 (COALINGA AREA)
WEST HILLS COMMUNITY COLLEGE DISTRICT
CITIZENS' BOND OVERSIGHT COMMITTEE
BYLAWS**

Section 1. Committee Established. The West Hills Community College District (the "District") was successful at the election conducted on November 4, 2008 (the "Election"), in obtaining authorization from the voters within School Facilities Improvement District No. 2 (Coalinga Area) to issue up to \$11,600,000 aggregate principal amount of the District's general obligation bonds, pursuant to a 55% vote. The election was conducted under Proposition 39, being chaptered as the Strict Accountability in Local School Construction Bonds Act of 2000, at Section 15264 *et seq.* of the Education Code of the State ("Prop 39"). Pursuant to Section 15278 of the Education Code, the District is now obligated to establish the Oversight Committee to satisfy the accountability requirements of Prop 39. The Board of Trustees of the West Hills Community College District (the "Board") hereby establishes the Citizens' Bond Oversight Committee (the "Committee") which shall have the duties and rights set forth in these Bylaws. The Committee does not have independent legal capacity from the District.

Section 2. Purposes. The purposes of the Committee are set forth in Prop 39, and these Bylaws are specifically made subject to the applicable provisions of Prop 39 as to the duties and rights of the Committee. The Committee shall be deemed to be subject to the *Ralph M. Brown Public Meetings Act* of the State of California and shall conduct its meetings in accordance with the provisions thereof. The District shall provide necessary administrative support at District expense to the Committee as consistent with the Committee's purposes as set forth in Prop 39.

The proceeds of general obligation bonds issued pursuant to the Election are hereinafter referred to as "bond proceeds." The Committee shall confine itself specifically to bond proceeds generated under the ballot measure. Regular and deferred maintenance projects and all monies generated under other sources shall fall outside the scope of the Committee review.

Section 3. Duties. To carry out its stated purposes, the Committee shall perform the following duties:

3.1 **Inform the Public.** The Committee shall inform the public concerning the District's expenditures of bond proceeds.

3.2 **Review Expenditures.** The Committee may review quarterly expenditure reports produced by the District to ensure that (a) bond proceeds are expended only for the purposes set forth in the ballot measure; (b) no bond proceeds are used for any teacher or administrative salaries or other operating expenses.

3.3 **Annual Report.** The Committee shall present to the Board, in public session, an annual written report which shall include the following:

(a) A statement indicating whether the District is in compliance with the requirements of Article XIII A, Section 1(b)(3) of the California Constitution; and

(b) A summary of the Committee's proceedings and activities for the preceding year.

(c) At the annual meeting the committee shall review the Bylaws; specifically the duties and responsibilities of the committee

3.4 Duties of the Board/Chancellor. Either the Board or the Chancellor, as the Board shall determine, shall have the following powers reserved to it, and the Committee shall have no jurisdiction over the following types of activities:

- (i) Approval of construction contracts,
- (ii) Approval of construction change orders,
- (iii) Appropriation of construction funds,
- (iv) Handling of all legal matters,
- (v) Approval of construction plans and schedules,
- (vi) Approval of Deferred Maintenance Plan, and
- (vii) Approval of the sale of bonds.

3.5 Voter-Approved Projects Only. In recognition of the fact that the Committee is charged with overseeing the expenditure of bond proceeds, the District has not charged the Committee with responsibility for:

(a) Projects financed through the State of California, developer fees, redevelopment tax increment, certificates of participation, lease/revenue bonds, the general fund or the sale of surplus property without bond proceeds shall be outside the authority of the Committee.

(b) The establishment of priorities and order of construction for the bond projects shall be made by the Board in its sole discretion.

(c) The selection of architects, engineers, soil engineers, construction managers, project managers, CEQA consultants and such other professional service firms as are required to complete the project based on District criteria established by the Board in its sole discretion.

(d) The approval of the design for each project including exterior materials, paint color, interior finishes, site plan and construction methods (modular vs. permanent) by the Board in its sole discretion and shall report to the Committee on any cost saving techniques considered or adopted by the Board.

(e) The selection of independent audit firm(s), performance audit consultants and such other consultants as are necessary to support the activities of the Committee.

(f) The approval of an annual budget for the Committee that is sufficient to carry activities set forth in Prop 39 and included herein.

(g) The adoption of a plan for publicizing the activities of the Committee and the determination as to whether a mailer, a newspaper notice or website materials would best suit the distribution of the Committee's findings and recommendations.

(h) The amendment or modification of the Bylaws for the Committee as provided herein, subject to the legal requirements of Prop 39.

(i) The appointment or reappointment of qualified applicants to serve on the Committee, subject to legal limitations, and based on criteria adopted in the Board's sole discretion as part of carrying out its functions under Prop 39.

(1) Once an appointment has been made to the committee, subsequent terms may be re-appointed for the second term by a majority vote of the committee and must be noted in the annual report to the Board.

Section 4. Authorized Activities.

4.1 In order to perform the duties set forth in Section 3.0, the Committee may engage in the following authorized activities:

(a) Receive and review copies of the District's annual independent performance audit and annual independent financial audit, required by Article XIIA of the California Constitution.

(b) Tour school facilities and grounds for which bond proceeds have been or will be expended, in accordance with any access procedure established by the District's Chancellor.

(c) Review copies of deferred maintenance proposal or plans developed by the District for projects that are specifically bond related projects.

(d) Review efforts by the District to maximize bond proceeds by implementing various cost-saving measures.

Section 5. Membership.

5.1 Number. The Committee shall consist of a minimum of seven (7) members appointed by the Board of Trustees from a list of candidates submitting written applications, and based on criteria established by Prop 39, to wit:

- One (1) member active in a business organization representing the business community located in the District.
- One (1) member active in a senior citizen's organization.
- One (1) member active in a bona-fide taxpayers association.
- One (1) member shall be a student who is both currently enrolled in the District and active in a community college group, such as student government.
- One (1) member shall be active in the support and organization of a community college or the community colleges of the District.
- Two (2) members of the community at-large appointed by the Board.

5.2 Qualification Standards.

(a) To be a qualified person, he or she must be at least 18 years of age and reside within the District's geographic boundary, in accordance with Government Code Section 1020.

(b) The Committee may not include any employee, official of the District or any vendor, contractor or consultant of the District.

5.3 Ethics: Conflicts of Interest. By accepting appointment to the Committee, each member agrees to comply with Articles 4 (commencing with Section 1090) and 4.7 (commencing with Section 1125) of Division 4 of Title 1 of the Government Code and the Political Reform Act (Gov. Code §§ 81000 *et seq.*), and to complete the Form 700 as required by all "designated employees" of the District. Additionally, each member shall comply with the Committee Ethics Policy attached as "Attachment A" to these Bylaws.

5.4 Term. Except as otherwise provided herein, each member shall serve a term of two (2) years, beginning March 21, 2009. No member may serve more than two (2) consecutive terms. At the Committee's first meeting, members will draw lots to select a minimum of two (2) members to serve for an initial one (1) year term and the remaining members for an initial two (2) year term. Term appointment(s) shall be effective as of the date of the Board action/ approval.

5.5 Appointment. Members of the Committee shall be appointed by the Board through the following process: (a) appropriate local groups will be solicited for applications; (b) the Chancellor or his designee will review the applications; (c) the Chancellor or his designee will make recommendations to the Board.

5.6 Removal; Vacancy. The Board may remove any Committee member for any reason, including failure to attend two (2) consecutive Committee meetings without reasonable excuse or for failure to comply with the Committee Ethics Policy. 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. Vacant seats that are filled will be for the two (2) year term and shall be effective as of the date of the Board action/ approval.

5.7 Compensation. The Committee members shall not be compensated for their services.

5.8 Authority of Members. (a) Committee members shall not have the authority to direct staff of the District. (b) Individual members of the Committee retain the right to address the Board as an individual.

Section 6. Meetings of the Committee

6.1 Regular Meetings. The Committee is required to meet at least once a year including an annual organizational meeting to be held as the first meeting of the calendar year; which shall be within the first quarter.

6.2 Location. All meetings shall be held within the voting District area.

6.3 Procedures. All meetings shall be open to the public in accordance with the *Ralph M. Brown Act*, Government Code Section 54950 *et seq.* Meetings shall be conducted according to such additional procedural rules as the Committee may adopt. A majority of the number of Committee members shall constitute a quorum for the transaction of any business except adjournment.

Section 7. District Support

7.1 The District shall provide to the Committee necessary technical and administrative assistance as follows:

(a) preparation of and posting of public notices as required by the *Ralph M. Brown Act*, ensuring that all notices to the public are provided in the same manner as notices regarding meetings of the District Board;

(b) provision of a meeting room, including any necessary audio/visual equipment;

(c) preparation and copies of any documentary meeting materials, such as agendas and reports; and

(d) retention of all Committee records, and providing public access to such records on an Internet website maintained by the District.

7.2 District staff and/or District consultants shall attend all Committee proceedings in order to report on the status of projects and the expenditures of bond proceeds.

7.3 No bond proceeds shall be used to provide District support to the Committee.

Section 8. Reports. In addition to the Annual Report required in Section 3.2, the Committee may report to the Board at least semi-annually in order to advise the Board on the activities of the Committee. Such report shall be in writing and shall summarize the proceedings and activities conducted by the Committee.

Section 9. Officers. The Chancellor shall appoint the initial Chair. Thereafter, the Committee shall elect a Chair and a Vice-Chair who shall act as Chair only when the Chair is absent, which positions shall continue for two (2) year terms. No person shall serve as Chair for more than two (2) consecutive terms.

Section 10. Amendment of Bylaws. Any amendment to these Bylaws shall be approved by a two-thirds vote of the entire Board.

Section 11. Termination. The Committee shall automatically terminate and disband at the earlier of the date when (a) all bond proceeds are spent, or (b) all projects funded by bond proceeds are completed.

Adopted by the WHCCD Board of Trustees: September 9, 2008
Revision Adopted by the WHCCD Board of Trustees: March 6, 2012

**CITIZENS' BOND OVERSIGHT COMMITTEE
ETHICS POLICY STATEMENT**

This following Ethics Policy Statement provides general guidelines for Committee members to perform their roles. Not all ethical issues that Committee members face are covered in this Statement. However, this Statement captures some of the critical areas that help define ethical and professional conduct for Committee members. The provisions of this Statement were developed from existing laws, rules, policies and procedures as well as from concepts that define generally accepted good business practices. Committee members are expected to strictly adhere to the provisions of this Ethics Policy.

POLICY

- **CONFLICT OF INTEREST.** A Committee member shall not make or influence a District decision related to: (1) any contract funded by bond proceeds or (2) any construction project which will benefit the committee member's outside employment, business, or a personal finance or benefit an immediate family member, such as a spouse, child or parent.

- **OUTSIDE EMPLOYMENT.** A Committee member shall not use his or her authority over a particular matter to negotiate future employment with any person or organization that relates to: (1) any contract funded by bond proceeds, or (2) any construction project. A Committee member shall not make or influence a District decision related to any construction project involving the interest of a person with whom the member has an agreement concerning current or future employment, or remuneration of any kind. For a period of two (2) years after leaving the Committee, a former Committee member may not represent any person or organization for compensation in connection with any matter pending before the District that, as a Committee member, he or she participated in personally and substantially. Specifically, for a period of two (2) years after leaving the Committee, a former Committee member and the companies and businesses for which the member works shall be prohibited from contracting with the District with respect to: (1) bidding on projects funded by the bond proceeds; and (2) any construction project.

- **COMMITMENT TO UPHOLD LAW.** A Committee member shall uphold the federal and California Constitutions, the laws and regulations of the United States and the State of California (particularly the Education Code) and all other applicable government entities, and the policies, procedures, rules and regulations of the West Hills Community College District;

- **COMMITMENT TO DISTRICT.** A Committee member shall place the interest of the District above any personal or business interest of the member.

The undersigned acknowledges he or she has received a copy of this Ethics Policy Statement, understands the provisions of this policy and agrees to adhere to its requirements.

Date

Printed Name and Signature of Committee Member



Measure C – SFID #2, Coalinga Area Citizens' Bond Oversight Committee

APPLICATION FORM

(Please Print or Type)

Name: _____ Email: _____
Home Address: _____ City: _____ Zip: _____
Home Phone: _____ Mobile Phone: _____ Fax: _____
Employer: _____ Employer Phone: _____
Employer Address: _____ City: _____ Zip: _____

I can represent the following constituencies located in SFID #2, Coalinga Area (check all that apply):

- Business Representative – Active in a business organization representing the business community located within the SFID
Name of organization: _____
- Senior Citizen Group Representative – Active member in a senior citizens' organization
Name of organization: _____
- Taxpayer Organization Member – Active in a bona fide taxpayers' organization
Name of organization: _____
- West Hills College Coalinga – Enrolled at West Hills College Coalinga and active in a college group
College Group(s): _____
- Member of College Support Organization – Active in the support and organization of the District (i.e. West Hills Community College Foundation, Boosters, etc.)
Name of organization: _____
- At Large Community Member – Resident of the area represented by SFID #2.

Current affiliate organizations and/or community group memberships: _____

Please describe your interest in serving on the Citizens' Bond Oversight Committee and what specific experience you may have that may be helpful: _____

I am applying to serve on the Citizens' Bond Oversight Committee. I have read the conflict of interest information in the Ethics Policy Statement and I do not have a conflict of interest that would prevent me from serving on the committee. I agree to report any such conflicts to the committee chair and district administration should it arise. I understand that this position is a community service, unpaid, volunteer position. I certify that I am not an employee, vendor, contractor, consultant, or official of the West Hills Community College District.

Signature: _____ Date: _____

Please submit this application to:
West Hills Community College District
Attention: Chancellor's Office
9900 Cody Street – Coalinga, CA 93210
Tel. (559) 934-2102 Fax (559) 934-2810
Email: donnaisaac@whccd.edu