



# MT. SAN ANTONIO COLLEGE

## REGULAR MEETING OF THE CITIZENS OVERSIGHT COMMITTEE

Thursday, November 20, 2008

### MINUTES

Prior to the regular meeting, Gary Nellesen, Director, Facilities Planning & Management, and committee members Walter Allen, Heidi Gallegos, Jim Grivich, Yesenia Leon, and Alta Skinner toured the new Math Complex. Joining the tour were Vice President Gregoryk; John Beckton, Project Executive, Bovis Lend Lease; and Dean Larry Redinger. Committee member Allen left immediately following the tour.

#### CALL TO ORDER

The regular meeting of the Mt. San Antonio College Citizens Oversight Committee was called to order at 6:01 p.m. on Thursday, November 20, 2008.

#### CITIZENS OVERSIGHT COMMITTEE MEMBERS PRESENT

Albert Chang	Heidi Gallegos
Jim Grivich	Yesenia Leon
Alta Skinner	Drexel Smith

#### CITIZENS OVERSIGHT COMMITTEE MEMBERS ABSENT

Walter Allen	Mariana Lake
Sylvia Mendoza	Ron Wood

#### STAFF PRESENT

John S. Nixon, President/CEO  
Mike Gregoryk, Vice President, Administrative Services  
Gary Nellesen, Director, Facilities Planning & Management  
John Beckton, Project Executive, Bovis Lend Lease  
Diana Casteel, Executive Assistant to the President and Board of Trustees

#### GUEST PRESENT

Dr. Manuel Baca, President, Board of Trustees

#### 1. APPROVAL OF MINUTES

It was moved by Drexel Smith, seconded by Yesenia Leon, to approve the minutes of the August 7, 2008, meeting. Motion carried with a 5-0 vote. Member Alta Skinner abstained.

## **2. PUBLIC COMMENTS**

None.

## **3. FINANCIAL & PERFORMANCE AUDIT REPORTS**

Mike Gregoryk, Vice President, Administrative Services, introduced Gema Ptasinski and Dan Warden from the audit firm of Vicenti, Lloyd, Stutzman LLP, who provided a review of the performance and fiscal audits of the Bond projects. The reports were for the year ending June 30, 2008.

The Performance Audit, as presented by Mr. Warden, found that, based on the procedures performed, the College has properly accounted for the expenditures of the funds held in the Construction Fund and that such expenditures were made on authorized Bond projects; however, there was one finding: "All documents and reports given to the Committee are not on the website." Committee members were concerned with the report, as presented. First, they felt the finding was inappropriate – Committee members believe the College should be able to share documentation with the committee that may not be appropriate for public disclosure, such as competition-sensitive or company proprietary information. A requirement for 'all' information to be posted on the web is not only unreasonable, but is inconsistent with the purpose and objective of the committee. College staff were given direction to seek a legal opinion on this finding from counsel. The Committee sees its charge as reporting to the community and not just posting information on the web; however, a legal opinion is requested in order to understand the intent of the audit finding and the law.

Committee members were concerned with some of the language used in the report, including a statement that said that, "funds were generally used for the construction...;" whereas, in another section of the report, it is stated that, "the District has properly accounted for the expenditures." On page 8 of the report, it indicates that "items tested" were properly accounted for, but Committee members wanted more clarity on how items are selected for testing. And, finally, Committee members want to make sure that the statement on the bottom of page 3 – "...to ensure that funds have been expended only on the specific projects publicized by the District" is true.

It was moved by Drexel Smith, seconded by Alta Skinner, that the Citizens Oversight Committee request staff to work with Vicenti, Lloyd, Stutzman LLP to revisit the Performance Audit before it is submitted to the Board of Trustees. Motion unanimously carried.

Vice President Gregoryk will work with the auditing firm. A revised report will be submitted to Committee members via email.

Ms. Ptasinski reviewed the financial audit. In performing the audit, the objective was to document that the College is in compliance with spending of Bond proceeds appropriately. While doing that, they look for any weaknesses in the system. Finally, their objective is to

provide the Citizens Oversight Committee with a report so that it can fulfill its obligation to provide a report to the community. Based on the audit, it was determined that the College has properly accounted for the expenditures of the Proposition 39/Measure R General Obligation Bonds and received an unqualified opinion, which is the best an organization can receive.

It was moved by Alta Skinner, seconded by Jim Grivich, to accept the Financial Audit, as presented. Motion unanimously carried.

#### **4. REPORT ON MEASURE RR**

President Nixon reported that Measure RR passed by a 70 percent margin. The College community is very excited that we are able to continue building out the master plan without interruption. The College will also pick up the projects that were dropped from Measure R because of increased construction costs.

Dr. Nixon said he is checking with legal counsel to see if the current Measure R Citizens Oversight Committee can continue to function as the Measure RR Citizens Oversight Committee. In talking with legal counsel, the College was told that it may need to adjust its Committee by-laws. It turns out that the Committee doesn't have by-laws. If it is determined that the Citizens Oversight Committee should, in fact, have by-laws, we will prepare a draft for review for the next meeting.

Dr. Nixon said that, in preparing for the Measure RR campaign, the campaign asked TaxpayersAdvocate.org to look at the work completed by Measure R and proposed projects under Measure RR. Copies of the analysis were distributed to committee members. The report conclusion states, "Through its efficient and cost-effective management of Measure R (2001) and its commitment to annual maintenance funding, Mt. SAC has demonstrated it has a proven record to handle the taxpayers' funds prudently. The voters can be confident that Measure RR on the November 2008 ballot is a well thought-out proposal, and that Mt. SAC will manage it effectively during its construction phase, with careful use of the taxpayers' dollars." Dr. Nixon said the College was very pleased with the report and sees it as a validation of the good work being done.

Trustee Baca said that, nearly eight years ago when the Board appointed the original Citizens Oversight Committee members, there were no models to clarify the role of the trustees or the Citizens Oversight Committee. The College made a promise at that time that it would build certain facilities and provide a rationale when we weren't able to do that. Dr. Baca said he is very proud of what the College has accomplished, with many projects being completed ahead of schedule. He said the Citizens Oversight Committee has turned out to be just what the Board envisioned – a group of diligent citizens with a critical eye. Dr. Baca told committee members that the Board very much appreciates the commitment they have made to the College.

#### **5. PROGRESS REPORT ON MEASURE R PROJECTS**

Gary Nellesen, Director of Facilities Planning & Management, presented committee members with a detailed financial report and schedule of all current Measure R Projects. The report, which will be provided to committee members quarterly, provides information on

the status of each project and how money budgeted for each project is being spent. He briefly reviewed the status of each project.

Committee members commended the College for the excellent information provided to them and for being responsive to their requests.

## **6. COMMITTEE COMMUNICATION**

Committee member Skinner commented that people who support education were so excited with action taken by local taxpayers on November 4. They voted to spend a lot of money on education during some difficult financial times. She said this was a grass-roots effort that paid off.

## **7. PRESIDENT'S REPORT**

President Nixon reminded committee members that Sally Wieck, senior citizens' organization representative, resigned her position and that we are looking for a replacement for her. Former member Marlen Garcia has suggested that the Board consider Fidel Vargas, Sr. He will be submitting biographical information shortly. Committee member Skinner said she could qualify as the senior citizens' representative, if needed.

Committee members should have all received invitations to the Measure RR Celebration at the Diamond Bar Community Center (December 3, 5:30 p.m.). Dr. Nixon said he hopes committee members will be able to attend.

## **8. NEXT MEETING**

The next meeting will be held on Thursday, February 5, 2009, at 6:00 p.m., in Founders Hall.

Committee members decided to schedule their meetings for 2009. They are:

February 5  
May 7  
August 6  
November 5

## **9. ADJOURNMENT**

The meeting was adjourned at 7:50 p.m.

JSN:dc