



City College of San Francisco

50 FRIDA KAHLO WAY • SAN FRANCISCO, CA 94112 • (415) 239-3000

CITIZENS' BOND OVERSIGHT COMMITTEE

MINUTES

FRIDAY, DECEMBER 13, 2019

OCEAN CAMPUS
MULTI-USE BUILDING, ROOM 240
50 FRIDA KAHLO WAY, SAN FRANCISCO, CA 94112

Members Present: Ernest Jackson, Christine Hanson, Peter Gallegos, Dennis Kelly, Rafael Musni, Shanon Lampkins-Jones, Linda Fadeke Richardson, A.J. Thomas

Staff: James Sohn, Marian Lam

Guests: David Casnocha

1. **Call to order and Roll Call:** James Sohn, Acting Senior Vice Chancellor (SVC) Facilities and Capital Planning, called the meeting to order at 10:05 AM. Members present: Gallegos, Hanson, Jackson, Lampkins-Jones, Kelly, Musni, Richardson. Committee Member Thomas arrived at 10:26 AM.
2. **Approval of December 13, 2019 Agenda** – Approved. Ayes: Gallegos, Hanson, Jackson, Lampkins-Jones, Kelly, Richardson; Nays: None; Abstention: Musni. (Richardson/Jackson)
3. **Chancellor's Comments** – SVC Sohn communicated message from Chancellor Rocha: He is delighted to have a newly refreshed Citizens' Bond Oversight Committee; supportive of the mission and the purpose; and invites any questions, comments, and requests for data to make this committee as effective as possible.
4. **Review and Approve Minutes** – Motion to table the approval of the minutes for a subsequent meeting until more documentation is available for review approved. (Jackson/Hanson)
 - a. May 9, 2019
 - i. This item was tabled from last meeting due to lack of quorum. Committee Member Hanson requested additions to the minutes. SVC Sohn will work with Ms. Hanson to confirm those sections of the tapes prior to the next meeting.
 - b. October 11, 2019 – No discussion.
5. **Introduction of New and Reappointed Committee Members**
 - a. Dennis Kelly has been a teacher for the past 50 years in San Francisco, with 35 years as a classroom teacher, 12 years as President at San Francisco's teacher's union for K-12,

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previously served as Trustee for the Orlando teacher's union, and familiar with work of Bond oversight committees.

- b. Peter Gallegos has been involved with City College for many years and ran for City College Board in 2000. He has worked with SFUSD coordinating the school careers program. He feels that City College is the best place for people to start, get a basic education, and find themselves. It offers opportunities for an academic or a career track and fulfills what is needed in this city. He would like to continue to participate and support this institution.
 - c. Christine Hanson shared how important this college was in shaping and re-building her life with both community and educational opportunities and glad to be back continuing work on this committee.
 - d. Ernest Jackson attended City College and his daughter also graduated from City College and continued her education at San Francisco State University. He is finishing up a dissertation and is an adjunct at the San Francisco Theological Seminary. Education is very important to him and he is hoping that City College can be back to one of the best colleges as it was number three in the nation when he attended college.
 - e. Rafael Musni was Chair for the CBOC since 2015. When going through a job change, he decided to get an agent and become a professional actor and took acting and singing lessons at City College. He has a passion for City College as a San Francisco asset as it provides a productive track for people to employment, furthering their education, and as a first stop for people returning to the job market. He is glad to be back to help move the committee's work forward and getting information to the citizens.
 - f. Shannon Lampkins-Jones is a returning member having served for about a year. She is new to San Francisco being here for just over two years working for the affordable housing developer Bridge. She is interested in learning more about City College and Free City and how to bridge the gap of differing academic levels of people in the city. She is continuing to learn about the community and wanted to volunteer her time to share the mission of the school with the community and the benefits that it has to offer.
 - g. Linda Fadeke Richardson is a longtime advocate of San Francisco City College. She lives in the Bayview Hunters Point and was appointed by the Mayor to serve on the Southeast Facility Commission helping lead the fight when people were trying to move the campus. Her professional background is in land-use transportation development and has served on the Planning Commission. She noted that there is an opportunity to fulfill the obligation to completing a report for the people of San Francisco and she is honored to serve on this committee.
 - h. A.J. Thomas is the chapter president of IFPTE Local 21 City employee union, attorney and political economist by training, currently working at the City's Office of Economic and Workforce Development. He and his partner were both the first in their family to graduate from college. He wants to ensure that the Committee take the proper time and study to any report they issue out.
- 6. Bond Projects Status Report** – SVC Sohn introduced Mr. David Casnocha, Bond Counsel, to the Committee to provide a tutorial and briefing on CBOC roles, responsibilities, and bylaws. He has been a bond attorney for 44 years serving nearly all of the community colleges and a few K-12 districts throughout the State. He came on as Bond Counsel in 2014 with City College with role to clean up compliance with various post issuance Bonds. He participated

with then Chancellor Tyler on investor presentations when the College was selling refunding bonds to preserve bond rating. He provided a history of Proposition 39 and with the amended 55% voter passage threshold with requirements that tax levies to secure bonds to never exceed \$25 per every \$100,000 of assessed value, for expenditures of Bond funds to be subject to an independent audit, to provide project lists and descriptions of projects to be funded to voters as part of the ballot measure, and obligated to create and empower a citizens' oversight committee with responsibilities as set forth in the Education Code. He highlighted items in the bylaws that define the roles and responsibilities of the Committee and that the Committee is subject to the Brown Act. He talked about the Foothill DeAnza Community College 2006 Bond landmark case and the court decision that the bond project list was never intended to provide voters with specific promises of what projects were to be completed but intended to give a guide to the oversight committee and the auditors as to whether bond proceeds were spent on authorized purposes. District salaries on administrator salaries are allowable if time is spent on Bond projects. It was noted that approximately \$30M Bond funds are remaining to spend.

- a. Committee Member Richardson commented that contract selection is within the Chancellor's purview at the Trustees' discretion and not the Committee's jurisdiction.
- b. Committee Member Hanson inquired if salary benefits can be paid by Bond funds. Mr. Casnocha responded that staff and benefits are short term costs that can be paid by Bond funds but ongoing maintenance is operations and maintenance not fundable by Bond.
- c. Mr. Casnocha commented that he has been recently active with written response providing legal opinion with rationale on expenditure of bond funds. SVC Sohn noted that all agenda items have a formal format that states if Bond Counsel has opined on the appropriateness of the expenditure.
- d. Mr. Casnocha noted that the 2020 Bond project list includes funding projects previously authorized under Bond 2005.
- e. Committee Member Kelly inquired about the liability of the College and responsibility for previous oversight committees not fulfilling their responsibilities.
- f. Committee Member Richardson commented that the Committee is capable of reconvening and committing to work on completing a report.
- g. SVC Sohn noted that Mr. Casnocha's firm responded to a solicitation, was short-listed, evaluated, and selected as on-going Bond Counsel to the District.
- h. Committee Member Hanson commented that the Committee was hoping to see the legal opinions on spending. SVC Sohn responded that the legal opinions of recent activity can be provided to the Committee.
- i. Mr. Casnocha summarized the responsibilities of the Committee to review expenditures, inform the public, and deliver a written annual report to inform the public. The Committee votes and the Chair speaks on behalf of the Committee to deliver the message to the public, Chancellor and the Board. Committee Member Thomas requested clarification on the Committee's scope of duty to inform and Mr. Casnocha responded that the annual report informs the public on performance for the prior year.
- j. SVC Sohn noted that in the interest of time to skip over the rest of the Bond Projects report. A written report was provided to the Committee.

7. Call for Nominations and Election for Chair and Vice-Chair

- a. Motion for Mr. Thomas to serve as Chair approved unanimously. (Hanson/Kelly).
- b. Motion for Bishop Jackson to serve as vice-Chair approved unanimously. (Thomas/Kelly)

8. Call for CBOC Annual Report Subcommittee Members

- a. Committee Chair Thomas opened up the item for discussion to define scope of the report. He commented limiting reporting to the remaining \$30M.
- b. Committee Member Richardson, Committee vice-Chair Jackson, and Committee Member Kelly commented reporting on the \$30M and also communicate prior activities to the public.
- c. Committee Member Hanson commented that the \$30M is what hasn't been spent yet and the report is to include expenditures for two prior reporting periods. She suggested that the auditor return to present the 2018-2019 bond audit to the Committee.
- d. Committee Member Lampkins-Jones commented that the report was not finalized in time as it was not clarified with a legal opinion if the project list matches the Bond project list impacting the Committee's opinion if the Bond funds were spent appropriately.
- e. Committee Member Musni commented that the Committee can request for the College to provide additional resources. Committee Member Kelly inquired if the College has budget for outside opinion and additional resources. Committee Chair Thomas commented using available resources first and until that is exhausted to specifically define what is needed and why they were insufficient.
- f. Committee Chair Thomas noted the need for further discussion to define scope at the next meeting.

9. Public Comment

- a. Simon Hanson, faculty in the Biology Department, encouraged the Committee to read Board Policy 2.1 which constitutes the Bond Oversight Committee; defines the job, roles and responsibilities; and reviewing the District efforts to implement cost saving measures to reduce professional fees and recommend the use of reusable facilities plans.

10. Calendar upcoming Meetings

- a. Next meeting scheduled for January 30, 2020 at 10:00AM with location to be determined. The Committee suggested holding the meeting at another Bond funded facility location.
- b. Committee Musni recommended working with District staff to set up a tour of the completed Bond funded projects for the Committee.

11. Adjournment – Meeting adjourned at 11:58 AM.