SUGGESTED ORDER OF BUSINESS

SPECIAL MEETING OF THE GOVERNING BOARD
SOUTHWESTERN COMMUNITY COLLEGE DISTRICT

TIM NADER, GOVERNING BOARD PRESIDENT
NORMA L. HERNANDEZ, GOVERNING BOARD VICE PRESIDENT
JEAN ROESCH, ED.D., GOVERNING BOARD MEMBER
TERRI VALLADOLID, GOVERNING BOARD MEMBER
CLAUDIA DURAN, STUDENT GOVERNING BOARD MEMBER
DENISE WHITTAKER, INTERIM SUPERINTENDENT/PRESIDENT AND
INTERIM GOVERNING BOARD SECRETARY

Written notice is hereby given in accordance with Government Code Section 54956 that a special meeting of the Governing Board of the Southwestern Community College District will be held as noted below:

DATE: Monday, July 11, 2011
TIME: 6:30 p.m.
LOCATION: Southwestern College
Learning Resource Center (LRC), Rm L238 North & South
Otay Lakes Road
Chula Vista, CA 91910

Compliance with Americans With Disabilities Act

Southwestern Community College District, in compliance with the American Disabilities Act (ADA), requests individuals who may need special accommodation to access, attend, and/or participate in Board meetings to contact Mary Ganio at (619) 482-6301 in advance of the meeting for information on such accommodation.

<table>
<thead>
<tr>
<th>ITEM</th>
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<tbody>
<tr>
<td>Call to Order</td>
</tr>
<tr>
<td>1. CALL TO ORDER (Nader)</td>
</tr>
<tr>
<td>6:30 p.m., LRC, L238 North &amp; South</td>
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<tr>
<td>Attendance at this special meeting (Board members arriving after meeting commences will be noted as “present” at point in this suggested order of business at which they arrive).</td>
</tr>
<tr>
<td>Present:</td>
</tr>
<tr>
<td>Absent:</td>
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</tbody>
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<table>
<thead>
<tr>
<th>Pledge of Allegiance</th>
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<tbody>
<tr>
<td>2. PLEDGE OF ALLEGIANCE (Nader)</td>
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<thead>
<tr>
<th>Oral Communication</th>
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<tr>
<td>3. ORAL COMMUNICATION (Nader)</td>
</tr>
<tr>
<td>Persons wishing to address the Governing Board under this item should fill out a yellow request card (available at the reception table) and indicate on the card if they wish to be called under Oral Communication, or when a specific agenda item is considered.</td>
</tr>
</tbody>
</table>
| An oral presentation to the Board does not constitute an open discussion on the presentation topic, unless that topic is on the posted agenda. Pursuant to the Brown Act (Government Code Section 54954.2(a)): "No action or discussion shall be undertaken on any item not appearing on the posted agenda, except that members of a legislative body or its staff may briefly respond to statements made or questions posed by persons exercising their public testimony rights under Section 54954.3."


| ITEM | 4. **PROPOSITION R OVERVIEW (ENCLOSURE)**  
(Whittaker)  
Presentation by Robert DeLiso, Program Manager Prop R; and John Brown, Director, Facilities, Operations and Planning. The presentation will include:  
- Proposition R Bond Description  
- Proposition R Management Team and Approach  
- Proposition R Project Budgets, Phases and Schedule  
- Proposition R Phase 1 Projects Status |
|---|---|
| Information | 5. **CALIFORNIA CODES EDUCATION CODE SECTION 15278-15282 (ENCLOSURE)**  
(Brown)  
Section of Education Codes pertaining to Citizens’ Bond Oversight Committee. |
| Information | 6. **CITIZENS’ BOND OVERSIGHT COMMITTEE BYLAWS (ENCLOSURE)**  
(Brown)  
By Laws adopted by the Governing Board of the Southwestern Community College District establishing a Citizens’ Bond Oversight Committee. |
| Information | 7. **SAN DIEGO COUNTY TAXPAYERS ASSOCIATION OVERSIGHT COMMITTEE BEST PRACTICES (ENCLOSURE)**  
(Brown)  
Best practices for oversight committees by the San Diego County Taxpayers Association Board of Directors. |
| Information | 8. **PROPOSITION R CITIZENS’ BOND OVERSIGHT COMMITTEE APPLICATIONS (ENCLOSURE)**  
(Nader)  
Review of applications submitted for membership on the Proposition R Citizens’ Bond Oversight Committee. |
| Adjournment | 9. **ADJOURNMENT**  
(Nader) |
AGENDA

- Proposition R Overview
- Phase 1 Costs
- Phase 1 Schedule
- Phase 1 Project Status
- Phases 2-5
- Discussion / Questions
Proposition R

BALLOT LANGUAGE

To improve affordable, South Bay community college education/job training, quality for state matching grants, upgrade nursing, firefighter/police academy training, repair classrooms, science labs/technology, fix plumbing, bathrooms, roofs, wiring, improve fire/earthquake safety, heating, security systems, remove asbestos; acquire, construct, repair, equip classrooms, sites; facilities, improve handicapped accessibility/energy efficiency to reduce costs; shall Southwestern Community College District issue $389,000,000 in bonds, at legal rates, required citizen oversight, annual audits and no money for administrators' salaries.
Proposition R Bond

Proposition R

SWC Governing Board

SWC Faculty/Staff & Students

Citizen's Bond Oversight Committee

Seville Construction Services

Construction Teams

Program Management Team
Proposition R

PROGRAM MILESTONES

- Corner Parcel Development | DSA “In Take”
- DeVore Stadium/Field House/Fields/Central Plant | DSA “In Take”
- Proposition R Phase 1 Architects Interviewed and Selected
  (April 20, 2010 Governing Board Meeting)
  - BCA Architects, Inc.
  - Gensler Architecture
  - MDA Johnson Favaro, LLP
  - LPA, Inc.
  - MVA-Institutional
  - tBP Architecture
  - NTD Architects
- DSA Close Out of Previous Proposition AA Projects
PROGRAM ISSUES

- Update Campus Education and Master Plan
- Verify Program Priorities
- Formalize Campus Design Standards
- Campus Sustainability Policy
- Establish Project and Program Contingencies
- Align Project Budgets and Scope
- Escalation
<table>
<thead>
<tr>
<th>Project</th>
<th>LEED Target</th>
</tr>
</thead>
<tbody>
<tr>
<td>Proposition AA – Snack Bar/Café</td>
<td>Certified</td>
</tr>
<tr>
<td>Proposition R – Corner Parcel Development</td>
<td>Gold</td>
</tr>
<tr>
<td>Proposition R – DeVore Stadium/Field House</td>
<td>Silver</td>
</tr>
<tr>
<td>Synthetic Turf/Central Plant</td>
<td></td>
</tr>
</tbody>
</table>

Leadership in Energy and Environmental Design
Thank you Voters!

Headlines

Announcements

Bids and RFQ's

Proposition R Website

Community Outreach Events

www.buildswc.com
PHASE 1 | BOND SALES

$100 Million Bond Sold | 2010

$70* Million Bond Sale | Anticipated June 2011

*Preliminary amount, subject to change
### Proposition R

#### Phase 1 | Funding Status

<table>
<thead>
<tr>
<th>Phases</th>
<th>Amount</th>
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<tbody>
<tr>
<td>Project Requirements</td>
<td>$173 Million</td>
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<tr>
<td>Escalation</td>
<td>$9 Million</td>
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<tr>
<td>Total Requirements</td>
<td>$182 Million</td>
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<tr>
<td>Bond Funds</td>
<td>$100 Million</td>
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<tr>
<td>Bond Funds</td>
<td>$70 Million</td>
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<tr>
<td>Total Funds</td>
<td>$170 Million</td>
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**Phase 1 Funding Shortfall:** $12 Million
<p>| | | | | | | | | |</p>
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</thead>
<tbody>
<tr>
<td><strong>Construction</strong></td>
<td>65-72%</td>
<td></td>
<td></td>
<td></td>
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<td></td>
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<tr>
<td><strong>Design</strong></td>
<td>6-8%</td>
<td></td>
<td></td>
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<tr>
<td><strong>Quality Assurance</strong></td>
<td>1-2%</td>
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<tr>
<td><strong>FF&amp;E</strong></td>
<td>4-7%</td>
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<tr>
<td><strong>PM/SWC</strong></td>
<td>6-10%</td>
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<tr>
<td><strong>Program Contingency</strong></td>
<td>8-10%</td>
<td></td>
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<tr>
<td><strong>Total Project</strong></td>
<td>100%</td>
<td></td>
<td></td>
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<td></td>
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</table>
# PHASE 1 | 2009-2014

<table>
<thead>
<tr>
<th>Phase 1 Projects</th>
<th>Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>Corner Parcel Development</td>
<td>$73,835,000</td>
</tr>
<tr>
<td>Replacement of DeVore Stadium and Field House, etc.</td>
<td>$8,595,000</td>
</tr>
<tr>
<td>Synthetic Turf: Football Stadium, Soccer, Softball Fields</td>
<td>$3,500,000</td>
</tr>
<tr>
<td>Central Plant</td>
<td>$24,590,000</td>
</tr>
<tr>
<td>Landscaping and Entry Construction</td>
<td>$4,497,000</td>
</tr>
<tr>
<td>National City 2-Story Facility</td>
<td>$17,715,000</td>
</tr>
<tr>
<td>Mayan Hall (Theater) Renovations and ADA Access</td>
<td>$8,126,000</td>
</tr>
<tr>
<td>PV/ Solar Projects</td>
<td>$5,000,000</td>
</tr>
<tr>
<td>Energy Efficient Project Upgrades/ Building Controls, etc.</td>
<td>$5,000,000</td>
</tr>
<tr>
<td>Updated Security, Fire Alarm &amp; Technology</td>
<td>$2,106,000</td>
</tr>
<tr>
<td>Phase 1 – Equipment for Renovated &amp; Remodeled Bldgs.</td>
<td>$5,180,000</td>
</tr>
<tr>
<td>Remodel of Cafeteria Building 610</td>
<td>$10,272,000</td>
</tr>
<tr>
<td>Remodel of 100 Bldg and Classrooms</td>
<td>$1,611,000</td>
</tr>
<tr>
<td>Remodel of 210 Building</td>
<td>$2,770,200</td>
</tr>
</tbody>
</table>

**Phase 1 Total:** $172,797,200
PHASE 1 SCHEDULE
Phasing Plan  |  Phase 1

Early 2012
- Central Plant
- Corner Parcel Development
- Field House / Practice Fields
- Landscape/ Entry

Late 2012
- Security, Fire Alarm, Tech
- PV / Solar
- Mayan Hall Theater
- Energy Upgrades, Controls, Lighting

Late 2013 (after CPD completion)
- Remodel Building 100 Classrooms
- Remodel Building 210
- Remodel Building 610 Cafeteria

Other work in this Phase not shown includes:
New Two-Story Facility (National City)
Early 2012 | Phase 1

- Central Plant
- Corner Parcel Development
- Field House/Practice Fields*
- Landscape/Entry

**LEGEND**

- Current Phase
- Bid Alternate (Early 2012)
- Complete/In Progress

*Practice Fields are being packaged as a bid alternative.*
Late 2013 | Phase 1
(After CPD Completion)

- Remodel Building 100 Classes
- Remodel Building 210
- Remodel Building 610 Cafeteria

**LEGEND**
- Current Phase
- Bid Alternate (Early 2012)
- Complete / In Progress

*Other work in this Phase not shown includes:
New Two-Story Facility (National City)

- PV / Solar
- Security, Fire Alarm, Tech
- Energy Upgrades, Controls, Lighting
CORNER PARCEL DEVELOPMENT

- $55 Million Construction Budget
- DSA Submittal in March 2011
- June GB Actions: Environmental Document and BCA Design Amendments
- CCFC Design Award (BCA Architects)
- Targeting LEED Gold
CORNER PARCEL DEVELOPMENT

- $64.9 Million Construction Estimate
- CM at Risk Project Delivery (Echo Pacific Construction)
- Parking Structure (Additive Bid Alternate)
- Pending Scope Adjustments to Meet Current Needs
- Construction Start in 2012 (Some Sitework in 2011)
- Occupancy 2014 (Recommendation)
Recommendations For:
Corner Parcel Development Project

- a. Delete 2-Level Parking Structure
- b. Delete LEED Items that Increase Operations & Maintenance Costs
- c. Reduce Quantity of Stone on Buildings
- d. Reduce Landscape Features
- e. Align Interior Building Design Finishes with Campus
- f. Adjust Scope of Buildings B & C to Align with the SWC Educational Master Plan
- g. Delete Parking Under Administration Building
$30 Million Construction Budget
$35.7 Construction Estimate
DSA Submittals in March & June 2011
June GB Action: Southern California Soils & Testing Amendment
Architect (Gensler)
CM at Risk Project Delivery (Barnhart Balfour Beatty)
Construction Start in 2012
Occupancy in 2013
Practice Fields (Additive Bid Alternates)
SCOPE REDUCTION

Recommendations For: DeVore Stadium, Field House, Fields and Central Plant Project

a. Delete Improvements to 3 Practice Fields

b. Delete Future Chiller in Central Plant

c. USE PVC versus Welded Steel Pipe
MAYAN HALL THEATER

- Scope Includes Theater Renovations and ADA Access Improvements
- Begin Process to Select Architect (From Phase 1 Selected Architects)
- Initial Work to Include Structural Analysis and Program Scoping
- $5.8 Million Construction Budget (Estimate)
- Future GB Action: Award Design Contract to Phase 1 Architect
CAFETERIA BUILDING 610

- Scope Includes New Kitchen Equipment and Finishes
- Initial Work to Include Program Scoping
- $7.2 Million Construction Budget (Estimate)
- Future GB Action: BCA Action
Concept Includes Two-Story Mixed-Use Facility
Begin Negotiations with selected Phase 1 Architect
Initial Work to Include Program Scoping
National City Community Development Commission
Future GB Action: Award Contract to Phase 1 Architect (MDA Johnson Favaro)
### Phase 2 Projects

<table>
<thead>
<tr>
<th>Project Description</th>
<th>Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>Faculty Resource Center</td>
<td>$3,759,000</td>
</tr>
<tr>
<td>New Science Building</td>
<td>$3,200,000</td>
</tr>
<tr>
<td>Remodel of 330/310 Chem and Life Science</td>
<td>$3,245,000</td>
</tr>
<tr>
<td>New Higher Education Center Eastern Chula Vista</td>
<td>$20,488,500</td>
</tr>
<tr>
<td>Replacement of Swimming Pools</td>
<td>$3,126,000</td>
</tr>
<tr>
<td>Remodel Gymnasium &amp; Building 1000</td>
<td>$15,477,000</td>
</tr>
<tr>
<td>Remodel of 220, 300, 320, 340, 381 &amp; 382</td>
<td>$6,463,800</td>
</tr>
<tr>
<td>San Ysidro Construction of a Parking Structure</td>
<td>$5,478,000</td>
</tr>
<tr>
<td>Phase 2 – Equipment for Renovated &amp; Remodeled Bldgs.</td>
<td>$5,000,000</td>
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</table>

**Phase 2 Total:** $66,237,300
<table>
<thead>
<tr>
<th>Phase 3 Projects</th>
<th>Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>Remodel of Classroom Building 630 &amp; 710</td>
<td>$3,839,000</td>
</tr>
<tr>
<td>New Higher Education Center Western Chula Vista</td>
<td>$20,488,500</td>
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<tr>
<td>Construct Maintenance &amp; Operations Building</td>
<td>$9,033,000</td>
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<tr>
<td>Construct New Horticulture Classroom Building</td>
<td>$1,256,000</td>
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<tr>
<td>Replace Track &amp; Synthetic Turf, Team Rooms, Training Course</td>
<td>$7,731,000</td>
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<tr>
<td>Tennis Courts and Lighting</td>
<td>$4,853,000</td>
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<tr>
<td>Phase 3 – Equipment for Renovated &amp; Remodeled Bldgs.</td>
<td>$5,000,000</td>
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<tr>
<td>Utility Replacement/ Upgrade – District Wide</td>
<td>$16,434,000</td>
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<td><strong>Phase 3 Total:</strong></td>
<td><strong>$68,634,500</strong></td>
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<td>Phase 4 Projects</td>
<td>Phase 4 Total: $28,502,500</td>
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<tr>
<td>------------------</td>
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<tr>
<td>Overall Phase 3 Demo in Various Building</td>
<td>$1,625,000</td>
</tr>
<tr>
<td>Replacement of Roofing, HVAC, Elect. District Wide</td>
<td>$21,877,500</td>
</tr>
<tr>
<td>Phase 4 – Equipment for Renovated &amp; Remodeled Blgs.</td>
<td>$5,000,000</td>
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<tr>
<td><strong>PROP R TOTAL</strong></td>
<td><strong>$388,575,000</strong></td>
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15278. (a) If a bond measure authorized pursuant to paragraph (3) of subdivision (b) of Section 1 of Article XIII A of the California Constitution and subdivision (b) of Section 18 of Article XVI of the California Constitution is approved, the governing board of the school district or community college shall establish and appoint members to an independent citizens' oversight committee, pursuant to Section 15282, within 60 days of the date that the governing board enters the election results on its minutes pursuant to Section 15274.

(b) The purpose of the citizens' oversight committee shall be to inform the public concerning the expenditure of bond revenues. The citizens' oversight committee shall actively review and report on the proper expenditure of taxpayers' money for school construction. The citizens' oversight committee shall advise the public as to whether a school district or community college district is in compliance with the requirements of paragraph (3) of subdivision (b) of Section 1 of Article XIII A of the California Constitution. The citizens' oversight committee shall convene to provide oversight for, but not be limited to, both of the following:

1. Ensuring that bond revenues are expended only for the purposes described in paragraph (3) of subdivision (b) of Section 1 of Article XIII A of the California Constitution.

2. Ensuring that, as prohibited by subparagraph (A) of paragraph (3) of subdivision (b) of Section 1 of Article XIII A of the California Constitution, no funds are used for any teacher or administrative salaries or other school operating expenses.

(c) In furtherance of its purpose, the citizens' oversight committee may engage in any of the following activities:

1. Receiving and reviewing copies of the annual, independent performance audit required by subparagraph (C) of paragraph (3) of subdivision (b) of Section 1 of Article XIII A of the California Constitution.

2. Receiving and reviewing copies of the annual, independent financial audit required by subparagraph (C) of paragraph (3) of subdivision (b) of Section 1 of Article XIII A of the California Constitution.

3. Inspecting school facilities and grounds to ensure that bond revenues are expended in compliance with the requirements of paragraph (3) of subdivision (b) of Section 1 of Article XIII A of the California Constitution.

4. Receiving and reviewing copies of any deferred maintenance proposals or plans developed by a school district or community college district, including any reports required by Section 17584.1.

5. Reviewing efforts by the school district or community college district to maximize bond revenues by implementing cost-saving measures, including, but not limited to, all of the following:

(A) Mechanisms designed to reduce the costs of professional fees.
(B) Mechanisms designed to reduce the costs of site preparation.
(C) Recommendations regarding the joint use of core facilities.
(D) Mechanisms designed to reduce costs by incorporating efficiencies in schoolsite design.
(E) Recommendations regarding the use of cost-effective and efficient reusable facility plans.

15280. (a) The governing board of the district shall, without expending bond funds, provide the citizens' oversight committee with any necessary technical assistance and shall provide administrative assistance in furtherance of its purpose and sufficient resources to publicize the conclusions of the citizens' oversight committee.

(b) All committee proceedings shall be open to the public and notice to the public shall be provided in the same manner as the proceedings of the governing board. The citizens' oversight committee shall issue regular reports on the results of its activities. A report shall be issued at least once a year. Minutes of the proceedings of the citizens' oversight committee and all documents received and reports issued shall be a matter of public record and be made available on an Internet website maintained by the governing board.

15282. (a) The citizens' oversight committee shall consist of at least seven members to serve for a term of two years without compensation and for no more than two consecutive terms. While consisting of a minimum of at least seven members, the citizens' oversight committee shall be comprised, as follows:

1. One member shall be active in a business organization representing the business community located within the district.

2. One member shall be active in a senior citizens' organization.

3. One member shall be active in a bona fide taxpayers' organization.

4. For a school district, one member shall be the parent or guardian of a child enrolled in the district. For a community college district, one member shall be a student who is both currently enrolled in the district and active in a community college group, such as student government. The community college student member may, at the discretion of the board, serve up to six months after his or her graduation.

5. For a school district, one member shall be both a parent or guardian of a child enrolled in the district and active in a parent-teacher organization, such as the Parent Teacher Association or schoolsite council. For a community college district, one member shall be active in the support and organization of a community college or the community colleges of the district, such as a member of an advisory council or foundation.

(b) No employee or official of the district shall be appointed to the citizens' oversight committee. No vendor, contractor, or consultant of the district shall be appointed to the citizens' oversight committee. Members of the citizens' oversight committee shall, pursuant to Sections 35233 and 72533, abide by the prohibitions contained in Article 4 (commencing with Section 1090) and Article 4.7 (commencing with Section 1125) of Division 4 of Title 1 of the Government Code.
CITIZENS' BOND OVERSIGHT COMMITTEE
BYLAWS

Section 1. Committee Established. The Southwestern Community College District (the "District") is conducting an election on November 4, 2008 (the "Election"), and seeking authorization from the District's voters to issue up to $389,000,000 aggregate principal amount of the District's general obligation bonds (the "Authorization"). The Election is being conducted under Proposition 39, 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 obligated to establish the Committee in order to satisfy the accountability requirements of Prop 39. The Governing Board of the Southwestern 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 as well as set forth in Resolution of the Board ("Election Resolution"). 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 also be charged with responsibilities as set forth in the Election Resolution, which is incorporated herein in its entirety. 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 to the Committee as shall be 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 Authorization. Expenditure of other facility monies generated from other sources shall fall outside the scope of the Committee's review. However, to the extent that facilities are financed with a combination of monies from the Authorization and other non-bond funds, such projects and expenditures shall be subject to Committee oversight and 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 and the Board concerning the District's expenditure of bond proceeds.

3.2 Review Expenditures. The Committee shall review expenditure reports produced by the District to ensure that (a) bond proceeds were expended only for the purposes set forth in the Authorization; and (b) no bond proceeds were 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.

3.4 Duties of the Board and/or Superintendent/President. While the Board or the Superintendent/President, as the Board shall determine, shall have the following powers reserved to it, the Committee shall have the right to provide input to both the Board and Superintendent/President on the following activities:

(i) Approval of construction contracts,

(ii) Approval of construction change orders,

(iii) Expenditure of construction funds,

(iv) Approval of construction plans and schedules,

(v) Approval of all deferred maintenance plans, and

(vi) Approval of the sale of bonds.

3.5 Voter Approved Projects Only. (i) Subject to the provision (ii) below, in recognition of the fact that the Committee is charged with overseeing the expenditure of bond proceeds, the Board has not charged the Committee with responsibility for:

(a) Projects exclusively 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, which shall be made by the Board in its sole discretion.

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

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

(f) With respect to the activities described in paragraph (b), (c), (d) and (e) above, the Committee shall have the right to provide advice and input to the Board and Superintendent/President.
Section 4. **Authorized Activities.**

4.1 In order to perform the duties set forth in Section 3.0, the Committee shall 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 XIII-A of the California Constitution.

(b) Inspect college facilities and grounds for which bond proceeds have been or will be expended, in accordance with any access procedure established by the District's Superintendent/President.

(c) Review copies of deferred maintenance proposal or plans developed by the District.

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

(e) Comment on proposed projects approved by the Authorization and offer advice to the District on aspects of such projects.

Section 5. **Membership.**

5.1 **Number.**

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

- One (1) student enrolled and active in a community college support group, such as student government.
- One (1) member active in a business organization representing the business community located in the District.
- One (1) member active in a senior citizens' organization.
- One (1) member active in a bona-fide taxpayers association.
- One (1) member active in a support organization for Southwestern College, such as a foundation or advisory council.
- Two (2) members of the community at-large.

In addition, a majority of the members of the Committee shall possess expertise in one or more of the following areas:

(i) large scale construction operations;

(ii) municipal/public finance matters;
(iii) multiple years expertise with agency/entity budgeting (which may include public agency or public entity budgeting);

(iv) construction related project management; and

(v) real estate acquisition or sales.

5.2 Qualification Standards.

(a) To be a qualified person, he or she must be at least 18 years of age and, wherever possible, reside within the boundaries of the District.

(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.

5.4 Term. Except as otherwise provided herein, each member shall serve a term of two (2) years, commencing on the date of the first meeting of the Committee. No member may serve more than two (2) consecutive terms. At the Committee's first meeting, members will draw lots or otherwise select a minimum of two members to serve for an initial one (1) year term and the remaining members for an initial two (2) year term.

5.5 Appointment. Members of the Committee shall be appointed by the Board at a regularly scheduled, properly noticed public meeting through the following process: (a) appropriate local groups will be solicited for applications; (b) the Superintendent/President or his or her designee will review the applications; (c) the Superintendent/President or his or her designee will submit the qualifications of each applicant to the Board and make appointment recommendations to the Board, and (d) the Board shall appoint members following public disclosure of each applicant's qualifications and soliciting public comment on all of the nominees.

5.6 Removal; Vacancy. The Board may remove any Committee member for cause, including failure to attend two consecutive Committee meetings without reasonable excuse or for failure to comply with any District ethics policy. Upon a member's removal, his or her seat shall be declared vacant. The Board, in accordance with the established appointment process set forth in Section 5.5 above shall fill any vacancies on the Committee. Vacancies shall be filled within 90 days from the initial date of each such vacancy.

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, and (b) individual members of the Committee retain the right to address the Board, either on behalf of the Committee or as an individual.
Section 6.  Meetings of the Committee.

6.1  Regular Meetings. The Committee is required to meet at least once a year but may meet more often as the Committee shall determine, but no more frequently than monthly.

6.2  Location. All meetings shall be held within the boundaries of the Southwestern Community College District.

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 of the Committee.

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 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 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 shall report to the Board from time to time in order to advise the Board on the activities of the Committee. The Annual Report shall be in writing and shall summarize the proceedings and activities conducted by the Committee.

Section 9.  Officers. The Superintendent/President shall appoint the initial Chair to serve for an initial one (1) year term. The Committee shall elect an initial Vice-Chair. Thereafter, the Committee shall elect a Chair and a Vice-Chair who shall act as chair only when the Chair is absent.

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

Section 11.  Termination. The Committee shall automatically terminate and disband 180 days following the date when all bond proceeds which could be raised under the Authorization have been spent.
Oversight Committee Best Practices
April 2007

The following list of observed best practices reflect the experience of the San Diego County Taxpayers Association's participation in over fifteen oversight committees during the past ten years. One of these committees preceded the passage of Proposition 39 that mandated oversight for bond-funded projects in K-12 and community colleges. That change led to rapid expansion of oversight and affected similar types of ballot measures such as the four-year extension of the TransNet sales tax, public safety facilities and hospital projects. From years of observation and direct participation in all the oversight committees in San Diego County, SDCTA has derived a list of practices that enhance the effectiveness of the oversight that voters rely upon when making decisions at the ballot box.

Recruitment, selection and appointment
The district or agency shall make a good faith effort to inform the public of vacancies on the oversight committee by all available means for at least 30 days in order to recruit qualified, motivated committee member prospects. These announcements shall include a description of the oversight committee duties and scope of authority. Eligibility requirements and selection criteria shall be available. Appointments shall be made at a regularly scheduled publicly noticed meeting of the district or agency.

Orientation
Before a new oversight committee begins work, a comprehensive orientation is essential. It is very important that newly appointed oversight committee members receive a thorough briefing including copies of relevant codes, bond resolutions, project descriptions, budgets and schedules, financial reports and minutes of recent meetings. It is highly desirable that new appointees tour all the facilities included in or affected by the bond funded program.

Access to information
Access to critical benchmarking data in a timely and easily comprehensible manner is essential. This frequently takes the form of a so-called "dash board" which summarizes critical metrics in graphic form. Whenever bond revenues are combined or used in conjunction with other sources of funding the oversight committee shall be kept informed of the status of all funds. Reports shall summarize the original funds budgeted and allocated, amounts expended and obligated to date and the percent of completion as of the close of the most recent accounting quarter. A regularly updated PERT chart or equal with milestones for each project in the program is necessary to allow oversight committee members to track progress.
Public disclosure
Transparency is achieved by promptly displaying on the oversight committee website detailed information about the progress of each project included in the ballot measure and resolution, the committee's minutes and materials it has received.

Meetings
The oversight committee must meet with sufficient frequency to insure that members remain fully informed about all relevant current conditions. This may also be accomplished, at the committee's discretion, by the creation of subcommittees that for instance monitor the audit process, construction progress and prepare the annual report to the elected board and public. Subcommittees may permit the full oversight committee to meet less frequently. They should report their activities at each regular oversight committee meeting.

Budget
The oversight committee may submit a request for the funding of outside expertise to the governing board if dictated by necessity. This would occur only after the committee has exhausted all other available resources and remedies. The governing board shall make special efforts to treat such requests in a fair and objective manner.

Financial auditors
The oversight committee is assured participation in the process of screening independent auditors of the bond-funded program, recognizing that the governing board has the sole authority to make such appointments. The oversight committee shall review and comment upon the annual audit report prior to its presentation to the elected board. It is desirable to have the independent auditors meet with the oversight committee audit subcommittee and/or the full committee at a regularly scheduled meeting.

Performance assessment
In addition to the compliance audit usually prepared by the financial auditors, the oversight committee shall participate in a comprehensive annual performance assessment conducted by qualified independent professionals who have demonstrated knowledge in the fields of project management and construction industry best practices.

Access to the governing board and chief administrative officer
The oversight committee shall periodically meet with the chief administrative officer of the district or agency and at least annually with the governing board.

Significant program changes
The governing board shall provide the oversight committee with the opportunity to review and comment upon major changes in each bond-funded program, allocation and project prior to final action being taken. A major change is one that affects the lesser of 10% of a specific project budget allocation or $1 million.

Annual report
The oversight committee shall be the principal author, with staff assistance as may be requested, of its required annual report to the public. The district or agency shall provide technical, production and distribution support. The report shall appear on the oversight committee web site and be available at principal offices of the district or agency.
Bond issuance
The district or agency shall inform the oversight committee concerning the full details of the selection of bond counsel, underwriters and the issuance of bonds. The oversight committee shall be fully informed before each new series of bonds is issued.

Bylaws
Although not required by law it is customary practice for governing boards to adopt administrative regulations outlining fundamental aspects of committee operations and activities. While this may take the form of bylaws it is a best practice for the committee to be granted the opportunity of prior review and proposing changes since these bylaws will circumscribe the manner in which the committee carries out its responsibilities.

Joint use
The oversight committee shall assure that the agency or district has demonstrated that best efforts have been applied to maximize opportunities for bond-funded projects to be used in conjunction with other local agencies in a manner that benefits the public and reduces costs.

Deferred maintenance
Part of the oversight committee’s responsibility is to review the status of district or agency deferred maintenance program and the progress toward the elimination and prevention of deferred maintenance of facilities by the application of bond revenues and annual operating. The oversight committee shall request staff to prepare and present life cycle maintenance schedules and budgets for each project funded by bond revenues.

Certification of expenditures
The district or agency shall periodically present to the oversight committee written certification that all bond revenues currently expended have been in conformity with the bond resolution and applicable statutes.

Prevailing wage requirements
Most if not all publicly funded projects fall under the prevailing wage requirements of the law. The oversight committee shall request and receive an annual compliance report from the agency or district detailing related compliance issues of importance. Problems involving prevailing wage compliance directly affect the efficient cost effective execution of the bond-funded program.

Liability
Committee members may be concerned about personal liability arising from serving. While this does not appear to be a problem, if requested, the governing board could elect to provide hold harmless agreements.

Final report
Upon final completion of the entire bond fund program the oversight committee shall prepare and distribute a complete detailed analysis of all expenditures, noting significant variances from the original stated expenditure plan, why they occurred and how they were mitigated.

Adopted by the SDCTA Board of Directors 4/20/07
SOUTHWESTERN COMMUNITY COLLEGE DISTRICT
APPLICATION FOR CITIZENS' OVERSIGHT COMMITTEE

(Please Print or Type)
Name: JOE DAVID CASILLAS

Address:

Home Phone: __________________ Work Phone __________________

FAX #: __________________ E-Mail: __________________

Why do you want to serve on the Proposition R: Citizens' Oversight Committee?
I believe it is the responsibility of active/concerned citizens to assure that the proceeds of the bond issue are spent in the most efficient, expeditious and prudent manner with a view to providing our students with the best possible learning environment.

Do you have any special area of expertise or experience in the following areas that you think would be helpful to the committee: (i) large-scale construction/operations, (ii) municipal/public finance matters, (iii) multiple years experience with agency/entity/budgeting (which may include public agency or public entity/budgeting), (iv) construction related project management, or (v) real estate acquisition or sales?

PLEASE SEE EXHIBIT 1

If you have served on other school district, college, or city or community committees please list and briefly describe your role:

PLEASE SEE EXHIBIT 2

I would be able to represent the following constituencies in the District: (check all that apply)

☐ Business Representative - Active in a business organization representing local business
  Organization:

☐ Senior Citizen Group Representative - Active member in a senior citizens' organization.
  Organization: SEE ATTACHED EMAIL DATED 7/7/11
☐ Taxpayer Organization Member - Active in a bona fide taxpayers' association.

Organization:

☐ Student In District and Active In Student Government

Active In Organization Supportive of the College, such as Advisory Council or Foundation
Organization:

☐ At-Large Community Member – Resident of the Southwestern Community College District

Please note any additional information you feel should be considered as part of your application:

1. Are you an employee of the College?*
2. Are you a vendor, contractor, or consultant to the school district?*
3. Do you have conflicts that would preclude your attending quarterly meetings?
4. Do you know of any reason, such as a potential conflict of interest, which would adversely affect your ability to serve on the Citizens’ Oversight Committee?*
5. Are you willing to comply with the ethics code included in the Bylaws?
6. Have you ever served on any Southwestern College committee, task force, etc? If so, what committee(s), and when? Yes, Member of the PROP R

Oversight Committee 2009 to 2011

7. Do you believe it is desirable to the extent allowed by law, to encourage the hiring of local labor for Prop R Projects? Please explain your views, if any.

I have been studying this issue for some time.

I maintain an open mind and would seriously analyze any data.
8. Please share any ideas you have for promoting local hiring.

("Employees, vendors, contractors, and consultants of the Southwestern Community College District are prohibited by law from being members of the Citizens’ Oversight Committee. Employment which could result in becoming a contractor or subcontractor to the district would also be a potential conflict.

Signature of Applicant:

All answers and statements in this document are true and complete to the best of my knowledge.

Signature:  Joe Casilla  Date: June 26, 2011

DOCSSF/70726-8024355-0905
EXHIBIT 1

A. As a registered professional engineer I have held positions in the planning and development of large industrial projects both in the private sector as well as in the public domaine.

I was responsible for the design/layout of the manufacturing facility for the fabrication of the ATLAS missile at General Dynamic Astronautics, San Diego. Determined manpower requirements and justified the purchase of capital equipment.

B. Served as a Facilities Engineer in the design, planning and implementation of military construction (MILCON) projects for the U.S. Navy. Projects included industrial shops for reworking a wide range of aeronautical and electronic components for fighter aircraft. Did on-going reviews of facilities to justify large capital expenditures for renovations and/or in-depth maintenance.

C. Served as the Budget and Evaluations Officer at the Office Of Economic Opportunity (OEO), Western United States. Had a budget of $260 Million. Did detailed analyses to assure compliance with program goals and with directives of the Office of Management and Budget and the Government Accounting Office. From this assignment I was promoted to Deputy Regional Director (OEO). Following this assignment I was promoted to Regional Director (OEO for the Rocky Mountain states. Both these assignments were Presidential Appointments in the Executive Office Of The President.

D. Have held a Real Estate Broker license in California since 1986. Primary interests have been business opportunities and residential real estate as well as some land use planning.
EXHIBIT 2

E. Served on the Sweetwater High School Bond Oversight committee to assure adherence to the goals of Proposition BB.

F. Served on a City of Chula Vista, Developers and Realtors committee to examine the facilities needs of the district. I chaired the sub-committee that evaluated the utilization of existing facilities and followed with recommendations to establish a facilities manager position in the district.

G. I chaired a Blue Ribbon Committee for the city of Chula Vista to rewrite the Housing Element of the General Plan.

H. I was a member of the Chula Vista Planning Commission and was the chairman at the time I left the commission. The larger issues involved matters of approving large sub-divisions, conditional use permits, environmental Impact Reports and a myriad of matters concerned with zoning and building.

I. Was member and chaired the Chula Vista Housing Advisory Committee.

J. Reviewed and made some recommendations to the mayor on the city budget for two years.

K. Served on the San Diego County Tax Assessment Appeals Board and on the San Diego County Civil Service Commission as well as the County Housing Advisory Board.

L. Have served on many community boards including the Board of Directors was chairman of Chula Federal Savings and Loan, now merged into Citibank.
Hi Denise,

Mr. Joe Casillas returned your call regarding his Prop R application and his active membership in a senior organization. He indicated that he’s an active member of AARP. He added that he’s also a member of CROSSROADS, which is mostly composed of senior citizens and veterans.

Thank you,

Rosalva N. Garcia
Office of the Superintendent/President
900 Otay Lakes Road
Chula Vista, CA 91910
(619) 421-5700 x5838
SOUTHWESTERN COMMUNITY COLLEGE DISTRICT
APPLICATION FOR CITIZENS' OVERSIGHT COMMITTEE

(Please Print or Type)
Name: Thomas A. Davis, Captain, USN (Ret.)
Address: ________________________________________________________________

Home Phone: ____________ Work Phone: ____________
FAX #: ___________________ E-Mail: ___________________ ___________________

Why do you want to serve on the Proposition R Citizens’ Oversight Committee?
I have been interested in SWC affairs for a very long time (40 + years). I served on
the fund and vote raising committee for Proposition R. Prior to that served on
the Proposition AA bond oversight committee. I have an interest in how the bond
funds for Proposition R are spent to maximize the benefit to SWC. I have
extensive experience in managing large construction and systems acquisition
projects.

Do you have any special area of expertise or experience in the following areas that you
think would be helpful to the committee: (i) large scale construction operations, (ii)
municipal/public finance matters, (iii) multiple years expertise with agency/entity budgeting
(which may include public agency or public entity budgeting), (iv) construction related
project management, or (v) real estate acquisition or sales?

While on active duty in the United States Navy I managed large construction,
systems acquisition, ship construction, and ship repair projects that ranged
upward in excess of the hundred million dollar category. The federal programs I
managed required me to report detailed program progress as well as program
funding expenditures. After leaving the U.S. Navy I established a partnership and
a sole owner business. These businesses required me to acquire new business,
make and execute contracts and agreements, meet federal and state tax and
insurance requirements, and managing personnel performance.

If you have served on other school district, college, or city or community committees please
list and briefly describe your role:
I served on the SWC Proposition AA bond oversight committee. I also served on
the Proposition R vote and fund raising committee. I was President of the Chula
Vista Chamber of Commerce and also served on many Chamber committees. I
have served on political committees for various local politicians.

I would be able to represent the following constituencies in the District: (check all that apply)

☐ Business Representative - Active in a business organization representing local business
Organization: _____________________________________________________________

☐ Senior Citizen Group Representative - Active member in a senior citizens’ organization.
Organization: ___________________________________________________________
Taxpayer Organization Member - Active in a bona fide taxpayers' association.

Organization: Member of the Crossroads II organization and former member
of the Board of Directors of Crossroads II.

☐ Student in District and Active in Student Government.

☐ Active in Organization Supportive of the College, such as Advisory Council or
Foundation. Active on the committee to pass Proposition R.

☐ Committee to Pass Proposition R.

Organization:

☐ At-Large Community Member – Resident of the Southwestern Community College
District.

Please note any additional information you feel should be considered as part of your
application:

I am a veteran, having served in country in Viet Nam 1965-1966 and have
qualified for VA disability compensation as a result of that duty. I have
commanded ships (one in combat) and shore stations in high stress situations
and conditions.

1. Are you an employee of the College?*
2. Are you a vendor, contractor, or consultant to the school district?*
3. Do you have conflicts that would preclude your attending quarterly meetings?
4. Do you know of any reason, such as a potential conflict of interest, which would
adversely affect your ability to serve on the Citizens' Oversight Committee?*
5. Are you willing to comply with the ethics code included in the Bylaws?
6. Have you ever served on any Southwestern College committee, task force, etc?
   If so, what committee(s), and when?

☐ SWC Corner Lot Ad Hoc Committee, the AA Bond
☐ Oversight Committee the Proposition R Vote for Proposition Committee.

7. Do you believe it is desirable, to the extent allowed by law, to encourage the
   hiring of local labor for Prop R Projects? Please explain your views, if any.

☐ Yes. Hiring local labor encourages economic benefits to the SWC district and the
region.

☐ No. Local hiring is unnecessary.

(*) Employees, vendors, contractors, and consultants of the Southwestern Community College District are prohibited by law from being members of the Citizens' Oversight Committee. Employment which could result in becoming a contractor or subcontractor to the district would also be a potential conflict.)

Signature of Applicant

All answers and statements in this document are true and complete to the best of my knowledge.

Signature: ___________________________ Date: June 23, 2011
SOUTHWESTERN COMMUNITY COLLEGE DISTRICT
APPLICATION FOR CITIZENS' OVERSIGHT COMMITTEE

(Please Print or Type)
Name: Matt Kriz

Address: ____________________________________________

______________________________ _______________________
Home Phone: Work Phone:

______________________________ _______________________
FAX #: E-Mail:

Why do you want to serve on the Proposition R Citizens' Oversight Committee?

____________________________
I AM A MEMBER OF THE MIDDLE CLASS TAXPAYERS ASSOC.
AND I HAVE TWO FAMILY MEMBERS ATTENDING SUCCEP.
I LIVE TWO MILES FROM SUCCEP AND SEE THE IMPROVEMENTS
PROGRESSING. I WOULD LIKE TO BE PART OF THE PROCESS.

Do you have any special area of expertise or experience in the following areas that you
think would be helpful to the committee: (i) large scale construction operations, (ii)
municipal/public finance matters, (iii) multiple years expertise with agency/entity budgeting
(which may include public agency or public entity budgeting), (iv) construction related
project management, or (v) real estate acquisition or sales?

____________________________
I WORKED FOR A GENERAL SERVICE CONTRACTOR IN THE
TRadeshon Industry FOR 30 YEARS BEFORE GOING TO
WORK FOR THE ILUPAT INTERNATIONAL UNION OF PAINTERS
AND ALLIED TRADES DISTRICT COUNCIL 39 AS THE SAN
DIEGO + IMPERIAL COUNTIES POLITICAL DIRECTOR. I WORK
WITH TIME LINES, LOOK FOR EFFICIENCIES IN CONSTRUCTION
AND HAVE BEEN INVOLVED IN MULTIPLE INDUSTRIAL RELOCATIONS

If you have served on other school district, college, or city or community committees please
list and briefly describe your role:

____________________________
THIS WOULD BE MY FIRST.

____________________________

____________________________

____________________________

I would be able to represent the following constituencies in the District: (check all that apply)

☐ Business Representative - Active in a business organization representing local business
   Organization: ____________________________________________

☐ Senior Citizen Group Representative - Active member in a senior citizens' organization.
   Organization: ____________________________________________

DOCSSF/70737-v2/024355-0005
Taxpayer Organization Member - Active in a bona fide taxpayers' association.
Organization: **MIDDLE CLASS TAXPAYERS ASSOCIATION**

☐ Student in District and Active in Student Government.

☐ Active in Organization Supportive of the College, such as Advisory Council or Foundation

Organization:

OR 2ND ☒ At-Large Community Member – Resident of the Southwestern Community College District.

Please note any additional information you feel should be considered as part of your application:
- Maturity and Common Sense
- B.S. Degree from Northern Arizona University in Industrial Supervision
- 26 years in Executive Management with Years Running Two Operations in So. Cal
- Almost Two Years in the Union
- I see all sides not just one

1. Are you an employee of the College?*
   - YES
   - NO
   - X

2. Are you a vendor, contractor, or consultant to the school district?*
   - YES
   - NO
   - X

3. Do you have conflicts that would preclude your attending quarterly meetings?
   - YES
   - NO
   - X

4. Do you know of any reason, such as a potential conflict of interest, which would adversely affect your ability to serve on the Citizens' Oversight Committee?*
   - YES
   - NO
   - X

5. Are you willing to comply with the ethics code included in the Bylaws?
   - YES
   - NO
   - X

6. Have you ever served on any Southwestern College committee, task force, etc? If so, what committee(s), and when?

7. Do you believe it is desirable to the extent allowed by law, to encourage the hiring of local labor for Prop R Projects? Please explain your views, if any.
   - YES
   - IT IS BEST FOR THE LOCAL ECONOMY TO KEEP THE DOLLARS HERE NOT SENT AWAY OR OUT OF STATE.
   - NO

8. Please share any ideas you have for promoting local hiring.
   - MAKE IT PART OF YOUR BIDDING PROCESS.

("Employee, vendors, contractors, and consultants of the Southwestern Community College District are prohibited by law from being members of the Citizens' Oversight Committee. Employment which could result in becoming a contractor or subcontractor to the district would also be a potential conflict.

Signature of Applicant

All answers and statements in this document are true and complete to the best of my knowledge.

Signature: ____________________________ Date: 6.21.11

DOCSSF70737v2/024355-0005
SOUTHWESTERN COMMUNITY COLLEGE DISTRICT
APPLICATION FOR CITIZEN'S OVERSIGHT COMMITTEE

(Please Print or Type)

Name: David Krogh
Address: 
Home Phone: Work Phone: 
FAX #: E-Mail: 

Why do you want to serve on the Proposition R Citizens’ Oversight Committee?

I have now served one complete term on the SWCCD bond oversight committee. I believe with that experience, I am now better qualified to serve now than I was at the beginning of my first term. I have had the satisfaction of knowing my participating, and my contribution to the committee, has resulted in a ‘better product’ on behalf of the community. In the spirit of ‘continuous process improvement’ as learned and practiced at my company, I wish to pursue delivering a better product (report) through the ‘improved process’ that we as a committee can discern and execute during a final term.

Do you have any special area of expertise or experience in the following areas that you think would be helpful to the committee: (i) large scale construction operations, (ii) municipal/public finance matters, (iii) multiple years expertise with agency/entity budgeting (which may include public agency or public entity budgeting), (iv) construction related project management, or (v) real estate acquisition or sales?

See original application in 2009 for any additional details, but my current and former jobs have included financial planning, monitoring and reporting, as well as scheduling and execution of long-term projects (other than construction) for many years as member of multiple departments of a major San Diego headquartered corporation. Also former CPA, familiar with non-profit and governmental agency fund accounting.

If you have served on other school district, college, or city or community committees please list and briefly describe your role:

I have served on the City of Chula Vista (CV) Growth Management Oversight Committee (GMOC) 2003-present, having served as vice-chairman for more than one year, and most recently as chairman for two years, my term there expiring 6/30/12. I have served on SWCCD CBOC 2009-present, term expiring 6/30/11, including the past year as vice-chairman, as well as the SANDAG (San Diego regional Association of Governments) as member of the Regional Planning Stakeholders Working Group (RPSWG) 2009-2011 for the Regional Transportation Plan 2011 update, term will be expiring approx. Nov. 2011 with the completion of the quadrennial RTP update process. I have also served various non-profit organizations in such capacities as treasurer, board member, founder, or president during the period 1979-present; see original 2009 application for further details.

I would be able to represent the following constituencies in the District: (check all that apply)

- Business Representative - Active in a business organization representing local business Organization:
- Senior Citizen Group Representative - Active member in a senior citizens' organization Organization:
Taxpayer Organization Member - Active in a bona fide taxpayers' association
Organization:
- Student in District and Active in Student Government
- Active in Organization Supportive of the College, such as Advisory Council or Foundation
Organization:
X At-Large Community Member – Resident of the Southwestern Community College District.

Please note any additional information you feel should be considered as part of your application:

1. Are you an employee of the College?*  
2. Are you a vendor, contractor, or consultant to the school district?*  
3. Do you have conflicts that would preclude your attending quarterly meetings?  
4. Do you know of any reason, such as a potential conflict of interest, which would adversely affect your ability to serve on the Citizens' Oversight Committee?*  
5. Are you willing to comply with the ethics code included in the Bylaws?  
6. Have you ever served on any Southwestern College committee, task force, etc?  

If so, what committee(s), and when?  
Citizen's Bond Oversight Committee 2009-2011

7. Do you believe it is desirable to the extent allowed by law, to encourage the hiring of local labor for Prop R Projects? Please explain your views, if any.

My view on this topic, as would be my answer to many other possible specific questions, is that it is the governing board's responsibility to evaluate and decide policy matters such as the topic of this question, and the oversight committee's responsibility to monitor and report the results within its oversight scope, particularly any issues or problems noted, and NOT the responsibility or duty of an oversight committee member to comment publicly about policy matters. As to the topic of this question specifically, it has come up only in passing during the committee's first term, it has received no mention other than favorable by any member of the committee who has commented upon it, and no indication or mention of any problems in this area has been raised.

8. Please share any ideas you have for promoting local hiring.

See answer to the previous question (governing board's responsibility, and the public's insofar as it has voted to elect whom has been elected, based on their public statements and campaign promises on this and all other topics).

(*Employees, vendors, contractors, and consultants of the Southwestern Community College District are prohibited by law from being members of the Citizens' Oversight Committees. Employment which could result in becoming a contractor or subcontractor to the district would also be a potential conflict.)

Signature of Applicant

All answers and statements in this document are true and complete to the best of my knowledge.

Signature:  David W. Krogh  Date:  June 27, 2011
SOUTHWESTERN COMMUNITY COLLEGE DISTRICT
APPLICATION FOR CITIZENS' OVERSIGHT COMMITTEE

(Please Print or Type)

Name: JOSEPH P. MARTINEZ

Address: ________________________________________________________________

______________________________________________________________

Home Phone: ______________ Work Phone: _______________________

FAX #: ____________________ E-Mail: ____________________________

Why do you want to serve on the Proposition R Citizens' Oversight Committee?

SEE ATTACHED - Response #1.

____________________________________________________________________

Do you have any special area of expertise or experience in the following areas that you think would be helpful to the committee: (i) large scale construction operations, (ii) municipal/public finance matters, (iii) multiple years expertise with agency/entity budgeting (which may include public agency or public entity budgeting), (iv) construction related project management, or (v) real estate acquisition or sales?

SEE ATTACHED - Response #2.

____________________________________________________________________

If you have served on other school district, college, or city or community committees please list and briefly describe your role:

SEE ATTACHED - Response #3.

____________________________________________________________________

I would be able to represent the following constituencies in the District: (check all that apply)

☐ Business Representative - Active in a business organization representing local business
  Organization: ________________________________________________________

☐ Senior Citizen Group Representative - Active member in a senior citizen's organization.
  Organization: ________________________________________________________
☐ Taxpayer Organization Member - Active in a bona fide taxpayers' association.
   Organization:

☐ Student in District and active in student government.

☐ Active in organization supportive of the college, such as advisory council or foundation
   Organization:

☒ At-Large Community Member – Resident of the Southwestern Community College District.

Please note any additional information you feel should be considered as part of your application:

SEE ATTACHED RESPONSE.

☐ Are you an employee of the College?
☐ Are you a vendor, contractor, or consultant to the school district?
☐ Do you have conflicts that would preclude your attending quarterly meetings?
☐ Do you know of any reason, such as a potential conflict of interest, which would adversely affect your ability to serve on the Citizens' Oversight Committee?
☐ Are you willing to comply with the ethics code included in the Bylaws?
☐ Have you ever served on any Southwestern College committee, task force, etc? If so, what committee(s), and when?

☐ Do you believe it is desirable to the extent allowed by law, to encourage the hiring of local labor for Prop R Projects? Please explain your views, if any.

☐ Please share any ideas you have for promoting local hiring.

(*) Employees, vendors, contractors, and consultants of the Southwestern Community College District are prohibited by law from being members of the Citizens' Oversight Committee. Employment which could result in becoming a contractor or subcontractor to the district would also be a potential conflict.

Signature of Applicant

All answers and statements in this document are true and complete to the best of my knowledge.

Signature

Date 6-27-2011
Response #1

Southwestern College is a valuable Chula Vista educational institution that serves students of all ages from all socioeconomic backgrounds. I would like to serve the Southwestern Community College District (SWCCD) by contributing my 15-years of experience and skill as a commercial real estate attorney for the benefit of the SWCCD as it uses Proposition R funds to modernize and improve its real estate and other facilities to serve a new generation of diverse students. The SWCCD Citizens’ Oversight Committee is one practical way for me to give back to our community.

Response #2

I am a commercial real estate attorney and partner at the Seltzer Caplan McMahon Vitek law firm located in downtown San Diego, California (see attached real estate attorney bio). I have relevant experience and skill advising clients in all areas of real estate purchases/sales, construction/development, leasing, property management/operations, equity investment, and debt financing matters. Moreover, I have directly relevant experience and skill with municipal/public finance matters, most recently as outside legal counsel to Thomas Jefferson School of Law in connection with their $28,000,000 California Statewide Communities Development Authority Revenue Bonds (Series 2005A and Series 2005B). I believe that my general commercial real estate knowledge and my specific municipal/public finance knowledge would be of good use to the SWCCD Citizens’ Oversight Committee and I would like the opportunity to share my expertise and advice with its members.

Response #3

While I do not serve on any other education-related committees, I do serve on the State Bar of California – Agribusiness Committee and the San Diego Padres – Hispanic Leadership Committee.

Response #4

As a matter of public disclosure, I would like to inform the SWCCD Citizens’ Oversight Committee that my law firm, Seltzer Caplan McMahon Vitek, served as legal counsel to Southwestern College in 2008 in connection with responses to the San Diego County Grand Jury Report “Ethics 101: Course Requirements for Community Colleges”.
Joseph P. Martinez
Firm Member

Areas Of Practice

Joseph P. Martinez II is a shareholder practicing in the areas of business and real estate transactions. Mr. Martinez represents real property owners, developers, investors, landlords, tenants, borrowers and lenders, and his expertise encompasses a variety of sophisticated real estate matters, including acquisitions and dispositions, development, leasing, equity investment and secured lending transactions. Mr. Martinez is fluent in Spanish as well as English.

Education Background

Mr. Martinez received his B.A., cum laude, from Harvard College in 1992. He earned his law degree from Harvard University Law School in 1996 where he served as Editor-in-Chief of the Harvard Latino Law Review.

Representative Matters

- Represents urban and suburban residential developers in documentation, negotiation and closing of real estate purchase and sale transactions and real estate finance transactions
- Represents real estate interests of companies engaged in real property investment and development transactions
- Represents lenders and borrowers in documentation, negotiation and closing of real property-secured portfolio mortgage loan transactions
- Represents borrowers in documentation, negotiation and closing of real property-secured conduit mortgage loan transactions
- Represents borrowers in documentation, negotiation and closing of defeasance transactions for real property-secured mortgage loan transactions
- Represents landlords and tenants in documentation, negotiation and execution of office and commercial property leasing transactions
- Represents real estate interests of companies engaged in corporate merger and acquisition transactions
- Represents real estate interests of companies engaged in bond financing transactions

Professional Affiliations & Admissions

- State Bar of California (Agribusiness Committee Co-Chairman 2006)
- San Diego County Bar Association (Real Property Law and Business Law Sections)
SOUTHWESTERN COMMUNITY COLLEGE DISTRICT
APPLICATION FOR CITIZENS' OVERSIGHT COMMITTEE

(Please Print or Type)

Name: Nicholas J. Segura Jr.

Address: _______________________________________________________________
______________________________________________________________

Home Phone: ___________________ Work Phone: ___________________

FAX #: ______________________ E-Mail: _______________________

Why do you want to serve on the Proposition R Citizens' Oversight Committee?

Please see attached

Do you have any special area of expertise or experience in the following areas that you
think would be helpful to the committee: (I) large scale construction operations, (II)
municipal/public finance matters, (III) multiple years expertise with agency/entity budgeting
(which may include public agency or public entity budgeting), (IV) construction related
project management, or (V) real estate acquisition or sales?

Please see attached

If you have served on other school district, college, or city or community committees please
list and briefly describe your role:

No

I would be able to represent the following constituencies in the District: (check all that apply)

☐ Business Representative - Active in a business organization representing local business
Organization: _________________________________________________________

☐ Senior Citizen Group Representative - Active member in a senior citizens' organization.
Organization: _________________________________________________________
☐ Taxpayer Organization Member - Active in a bona fide taxpayers' association.
Organization: ________________________________________________________________

☐ Student in District and Active in Student Government.
__________________________________________________________________________

☐ Active in Organization Supportive of the College, such as Advisory Council or Foundation
__________________________________________________________________________

Organization: ________________________________________________________________

☒ At-Large Community Member - Resident of the Southwestern Community College District.

Please note any additional information you feel should be considered as part of your application:
__________________________________________________________________________
__________________________________________________________________________
__________________________________________________________________________

1. Are you an employee of the College?*
2. Are you a vendor, contractor, or consultant to the school district?*
3. Do you have conflicts that would preclude your attending quarterly meetings?
4. Do you know of any reason, such as a potential conflict of interest, which would adversely affect your ability to serve on the Citizens' Oversight Committee?*
5. Are you willing to comply with the ethics code included in the Bylaws?
6. Have you ever served on any Southwestern College committee, task force, etc? If so, what committee(s), and when? ____________________________________________

7. Do you believe it is desirable to the extent allowed by law, to encourage the hiring of local labor for Prop R Projects? Please explain your views, if any.
Please see attached
__________________________________________________________________________

8. Please share any ideas you have for promoting local hiring.
Please see attached
__________________________________________________________________________

("Employees, vendors, contractors, and consultants of the Southwestern Community College District are prohibited by law from being members of the Citizens' Oversight Committee. Employment which could result in becoming a contractor or subcontractor to the district would also be a potential conflict.")

Signature of Applicant

All answers and statements in this document are true and complete to the best of my knowledge.

Signature: ___________________________ Date: 6-27-11

DOCSSF70737v2/024355-0005
Why do you want to serve on the Proposition R Citizen' Oversight Committee?

I would like to serve on the Proposition R oversight committee in order to serve my community. I want to use my experience and expertise to review financial reports and compare expenses ensuring cost savings measures and efficient use of bond proceeds are incorporated into all projects. I believe my experience in the energy sector would benefit the committee to ensure renewable energy and energy efficiency best practices are incorporated into projects. As a local resident with experience in policy development and negotiations on behalf of local workers, I want to work with the committee to ensure employment and training opportunities are provided for local workers to maximize taxpayer dollars and benefits to Southwestern students and faculty and the broader community.

Do you have any special area of expertise in the following areas that you think would be helpful to the committee? (i) large scale construction operations, (ii) municipal/public finance matters, (iii) multiple years expertise with agency/entity budgeting (which may include public agency or public entity budgeting), (iv) construction related project management, or (v) real estate or sales?

I have expertise in large scale construction operations. For seventeen years working as a professional electrician, I managed large and complex projects, including local projects at Bonita Kaiser and Otay Kaiser. Additionally, I oversaw projects at area colleges such as UCSD. Additionally I have multiple years of expertise with agency/entity budgeting, first as President and now as Assistant Business Manager of the International Brotherhood of Electrical Workers (IBEW) Local 569. I am responsible for developing, implementing and overseeing an organizational budget over six million dollars. I chair the San Diego Electrical Health and Welfare Trust which administers and manages the trust of over two thousand members. I am a trustee on the Pension Trust for the IBEW 569 pension, and the Joint Apprenticeship Training Committee. These committees are responsible for overseeing the investment of over two hundred million dollars and the successful administration of a college-accredited electrical apprenticeship program, respectively.

Please note any additional information you feel should be considered as part of your application:

I believe Southwestern College is uniquely poised to serve as an educational leader in California’s efforts to create jobs and reduce greenhouse gas emissions. While the oversight committee’s mission is legally prescribed in California law, I believe it is critical this mission be carried out with a vision of incorporating technological
innovations into projects, expediting green job growth, enhancing the educational mission of the College, safeguarding our local environment, and creating real career pathways for local residents.

7. Do you believe it is desirable to the extent allowed by law, to encourage the hiring of local labor for Prop R Projects?

My wife and I own a home in Chula Vista and are raising our children in this community. We could not have done this if I, as a local construction worker, had not had access to an apprenticeship program or the opportunity to work on local projects. The District should do everything possible to encourage local hire on Prop. R projects.

8. Please share your ideas you have for promoting local hiring.

The only legal way to ensure local hire on construction projects is to utilize hiring halls. Board policies that require the use of hiring halls in Prop R projects, in conjunction with outreach to local residents and Southwestern students, would be a good way to ensure local workers are employed as apprentices and journey-level workers on Prop R projects.
Why do you want to serve on the Proposition R Citizens' Oversight Committee?

Interested in using my skills and experience in turning the victory of Prop. R into a world class education facility right here at Southwestern College in Chula Vista. This project would propel the College and students into cutting edge, innovative education. The Prop. R project establishes a new ceiling where there is no height limit. I am interested in education and the great benefits it affords people.

Do you have any special area of expertise or experience in the following areas that you think would be helpful to the committee: (i) large scale construction operations, (ii) municipal/public finance matters, (iii) multiple years expertise with agency/entity budgeting (which may include public agency or public entity budgeting), (iv) construction related project management, or (v) real estate acquisition or sales?

Extensive local land use experience.

As a two term City Planning Commissioner, was involved in the master planning of Otay Ranch; the largest master planned community in the State of California. Involved in the planning and approval process of the first (7) villages.

Involved in the planning and approval process of the Knott's Soak City Water Park.

Involved in the back half of the planning and approval progress of the Cricket Amphitheater.

If you have served on other school district, college, or city or community committees please list and briefly describe your role:

Have lived in Chula Vista for 49 years; being a very active community volunteer and leader.
[8] years on the City Planning Commission

[8] years on the City Safety Commission

[2] years of the City Growth Management Oversight Commission

[6] years on the Board of Directors Chula Vista Chamber of Commerce including 3 years on the Executive Committee

[5] years of the Board of Directors of Scripps Hospital-Chula Vista

[12] years in a row participate; State of California Principle for a day

[5] years in a row School Site Council


I would be able to represent the following constituencies in the District: (check all that apply)

F Business Representative - Active in a business organization representing local business Organization: Yes

F Senior Citizen Group Representative - Active member in a senior citizens’ organization.
Organization: No

F Taxpayer Organization Member - Active in a bona fide taxpayers’ association.
Organization: No

F Student in District and Active in Student Government.

___ No ____________:

___ No ____________:

F Active in Organization Supportive of the College, such as Advisory Council or Foundation

___ No ____________:

___ No ____________:

Organization:

F At-Large Community Member – Resident of the Southwestern Community College District. Yes

Please note any additional information you feel should be considered as part of your
application:

YES NO

1. Are you an employee of the College?* No

2. Are you a vendor, contractor, or consultant to the school district?* No

3. Do you have conflicts that would preclude your attending quarterly meetings? No

4. Do you know of any reason, such as a potential conflict of interest, which would adversely affect your ability to serve on the Citizens’ Oversight Committee?* No.

5. Are you willing to comply with the ethics code included in the Bylaws? Yes

6. Have you ever served on any Southwestern College committee, task force, etc?
If so, what committee(s), and when? No

7. Do you believe it is desirable to the extent allowed by law, to encourage the hiring of local labor for Prop R Projects? Please explain your views, if any.

Yes I do. The Chamber has a popular phrase, “Buy Chula Vista”. As a Chula Vista small business owner the greatest feeling is having your business serve the needs of the City and its residents. I also believe that local contractors, vendors, etc. develop a little pride and special interest in providing their services locally.

8. Please share any ideas you have for promoting local hiring.

I would first identify what the word “local” means. Chula Vista, National City, Imperial Beach, etc.? I would invite stakeholders, trade associations, Chamber, etc. to a meeting. I would bring out the old fashion Magic marker and have a brain storming session. Gathering ideas and then design a marketing plan. Living in Chula Vista for 49 years, extensive involvement in the Chamber and City, I have a comprehensive knowledge of who and what is in Chula Vista and surrounding communities. First Friday breakfast, there is a lot of communication opportunities. I would have a special page set up on the project website for local hires that could be restricted to local corporate zip codes. Creativity is the key!
(*Employees, vendors, contractors, and consultants of the Southwestern Community College District are prohibited by law from being members of
the Citizens’ Oversight Committee. Employment which could result in becoming a contractor or subcontractor to the district would also be a
potential conflict.)

Signature of Applicant

All answers and statements in this document are true and complete to the best of my knowledge.

Signature  

Date  June 23, 2011

Completed applications must be received in the office of:

Vice President for Business & Financial Affairs
Southwestern Community College District
900 Otay Lakes Road
Chula Vista, CA 91910
or faxed to (619) 482-6592
no later than at 4:30 pm, June 27, 2011.

If you have any question please call the Southwestern Community College District