



**Citizens' Bond Oversight Committee**  
**Minutes for Tuesday, December 14, 2021**

3:30 p.m.  
Via Zoom Video Conference Call

**Meeting Participants**

**Committee Member(s) Present**

Andrew Harker, Ed.D. (Chair and Member-At-Large, West Valley); Margie Eklund (Senior Citizen Group Representative); Becky Broughton (Business Representative), and Diane M. Rubin (College Support Organization Representative)

**Committee Member(s) Not Present**

Vacant (Member-At-Large, East Valley), Vacant (Student Representative) and Vacant (Taxpayer's Association Representative)

**District Official(s) Present**

Ruben AriAztlan Perez (Trustee); John Ramont (Vice President, Administrative Services); John O. White (Executive Director, Bond Program & Facilities Planning), Scott Adkins (Director, Education Centers, West Valley), Jessica Enders (Interim Executive Director of Institutional Advancement) and Jocelyn Vargas (College of the Desert Interim Director, Education Centers, East Valley Campus)

**District Official(s) Not Present**

Dr. Martha Garcia (Superintendent/President)

**Bond Management Representative(s) Present**

Mac McGinnis (Program Manager, MAAS Companies)

**Recorder**

Mark Howard (Executive Administrative Assistant, Bond Program & Facilities Planning)

**Guests**

None.

**Meeting Minutes**

**1. Call to Order/Roll Call**

- Chair Andrew Harker called the committee meeting to order at 3:34 p.m. The committee had a quorum.

### **1.1 Public Comments**

- Pursuant to the Governor's Executive Order N-25-20, Chair Andrew Harker stated that the COC Committee may participate via teleconference. He further stated that in accordance with Executive Order N-25-20 and guidance from the California Department of Public Health on gatherings, remote public participation is allowed and will be accepted by email to [mhoward@collegeofthedesert.edu](mailto:mhoward@collegeofthedesert.edu) during the meeting, prior to the close of public comment on an item, and read into the record during public comment. There is a time limit of three (3) minutes per person and a maximum of fifteen (15) minutes for the entire meeting.
  - Chair Andrew Harker requested Mark Howard introduce the three guests who prior to the meeting identified themselves as wishing to address the committee during the public comments portion of the meeting.
    - Mark Howard presented Bruce Hoban to the committee and started the clock for the three-minute time limit.
    - Bruce Hoban introduced himself to the committee and stated that he was personally concerned regarding agenda item 4.1, project updates due to the conflicting reports from various entities concerning the District's pending projects. He stated that he understood that the role of the committee was to oversee the bond funds connected to Measure B and CC are spent properly on construction and that the specifics of design are not part of the committee's oversight. Bruce requested the committee consider what their fiduciary responsibility is for approved projects that are severely altered and question the process by which the bond monies are being utilized, which he believes is in the committee's purview.
    - Mark Howard presented Ginny Foat to the committee and started the clock for the three-minute time limit.
    - Ginny Foat introduced herself to the committee and stated that she has been involved with Measure B and CC and College of the Desert since the beginning in 2005 and for all those years have rallied for a campus in Palm Springs. Since then there has been monies spent that she is very concerned about. The first was a piece of land in the north end that the City of Palm Springs bought and deeded to the college. Then the college

spent something like seven million dollars on a feasibility study to develop that property, which was later abandoned. Then the college bought the old mall property in the middle of the city for a considerable amount of money. The amount of monies spent is a major concern but what's more concerning is that the citizens of the city have been given different explanations as to how and why these monies were spent and will be spent in the future and if there will ever be a Palm Springs campus. I ask the committee to really delve into where these fifty to sixty million dollars has gone and exercise their fiduciary responsibility to ensure that in the future the bond funds are used for the Palm Springs, Cathedral City and Indio projects.

- Mark Howard presented Dick Burkett to the committee and started the clock for the three-minute time limit.
- Dick Burkett introduced himself to the committee and stated that those of us at the Architectural Alliance are consistently being asked by the Coachella Valley Architecture Preservation Organization how much of the five hundred seventy-eight-million-dollar bond monies passed in 2016 have been allocated to the west valley campus, as well as how much is remaining. We respectfully request that the committee address these questions in today's meeting as continued speculation can be harmful to both C.O.D. and the community. The plans that were previously shared at the 2020 Modernism Week and at other functions following created an enthusiastic response from the community. Now there is uncertainty as to the scale of the project, which is concerning. Personally, I have been supportive of the west valley campus, so why don't we work together to ensure the highly anticipated scale of the plan previously presented so the future campus is something the community and students can be proud of. We have a golden opportunity here to the college to be recognized as a major force and exceptional community college in the state, nationally and internationally.

## **2. Action Items**

### **2.1 Approval of December 14, 2021 Agenda**

- A motion was made by Margie Eklund to approve the December 14, 2021 Meeting Agenda. Diane Rubin seconded the motion. No discussion ensued. All in favor. No opposed. Motion was passed.

### 2.1 Conclusion

- December 14, 2021 Meeting Agenda was approved as presented.

#### 2.1 Follow-up Items

#### 2.1 Task of

#### 2.1 Due by

None	None	None
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### 2.2 Approval of September 14, 2021 Minutes

- A motion was made by Margie Eklund to approve the September 14, 2021 Meeting Minutes as presented. Becky Broughton seconded the motion. No further discussion ensued. All in favor. One abstention. Motion was passed.

### 2.2 Conclusion

- September 14, 2021 Meeting Minutes were approved.

#### 2.2 Follow-up Items

#### 2.2 Task of

#### 2.2 Due by

None	None	None
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## 3. Information/Discussion Items

### 3.1 Projects Updates

- Mac McGinnis presented the Bond Project Updates PowerPoint presentation consisting of the following:
  - Aerial photos highlighting the locations of the (1) Athletics Stadium and Fields Project, (2) Indio Campus Expansion, (3) Indio Child Development Center, (4) Palm Springs Development Project and (5) Roadrunner Motors (Automotive Technology Training Center).
  - Athletics Stadium and Fields Project:
    - ✓ This project includes the new 20,000 square foot stadium building, which replaces the old stadium, and includes locker rooms, auxiliary spaces, weight room, sports official facilities and support areas such as equipment storage rooms, laundry, video and IT rooms. The schematic plans were approved by executive cabinet and were presented for review to the Board of Trustees at their 2021 September meeting.
  - Indio Center Expansion:

- ✓ The new building will be a three story, 67,000 square feet, mid-century designed structure, with classrooms, labs, multi-purpose spaces, indoor and outdoor gathering areas, and a cafeteria.
- ✓ This expansion is greatly needed as the Indio Learning Center was at full capacity when it opened in 2014.
- ✓ Once operations have been moved into the new building the renovations project on the old building will begin, which includes removal of breezeway enclosure, temporary modular classroom buildings and various campus level functions. The newly available spaces will be converted into additional instructional and student study spaces. External renovations will include resurfacing of the parking lot.
- ✓ Construction is scheduled to begin in spring of 2022 and currently this project is in the bidding phase.
- Indio Child Development Center:
  - ✓ The new Indio Child Development Center is 17,000 square feet building, with 7,000 square feet of play yards with shade structures.
  - ✓ The new building includes pre-school classrooms, toddler rooms, indoor and outdoor play spaces, meeting rooms and a new parking lot.
  - ✓ DSA has approved this project and construction is scheduled for this spring.
- Palm Springs Development Project:
  - ✓ This project is currently on hold pending completion of a feasibility study to ensure the planned programs are going to meet students and community needs. The President wants to review the study and then make decisions regarding phasing.
- A discussion ensued regarding the time lines and the Palm Springs Development Project whereby the District advised the committee that a feasibility study will be completed in June 2022.
- The Roadrunner Motors Project:
  - ✓ This project is also on pause due to other locations now being considered.

- A discussion ensued regarding why the original location for the Roadrunner Motors program in Cathedral City may not be feasible as estimated costs exceed initial budget parameters. The plan is to still consider the current site and also present to the Board alternate sites for a total of three options to choose from.
- Active Projects and Completed Projects Budget Summaries:
  - ✓ An overview of the project budgets was presented to the committee.
- A discussion ensued regarding bond expenditures and balances whereby the District clarified that all Measure B funds have been issued and that about two hundred ten million Measure CC funds have been spent or committed.

### 3.1 Conclusion

- Committee members were briefed on future projects and bond measures funding.

3.1 Follow-up Items	3.1 Task of	3.1 Due by
None	None	None

### 3.2 Status and Plans for the West Valley Projects

- Some committee members mentioned potentially conflicting bond project information and a lack of transparency. The District informed the committee that the projects were first and foremost stalled due to the COVID pandemic which, in turn, resulted in the District reevaluating these projects in relation to student needs, construction costs, enrollment numbers, census reports and the overall needs of the community. This process will ensure the projects will be operational and sustainable for decades to come. Efforts towards better transparency with the public include press conferences initiated by the District, meetings with city officials and detailed bond projects updates at the monthly Board of Trustees meetings.

### 3.2 Conclusion

- Committee members were provided with the current status of the bond projects and efforts for improved transparency.

3.2 Follow-up Items	3.2 Task of	3.2 Due by
None	None	None

### 3.3 Draft of 2020-2021 C.O.C. Annual Bond Report

- The District outlined steps necessary to generate the C.O.C. annual bond report draft including reviews and eventual publication.
- The following comments and suggestions were made:
  - ✓ The report reflects 2019-2020 student enrollment numbers which are not relative for the 2020-2021 report;
  - ✓ There is no mention of the campus being closed due to the COVID pandemic and the reduction in student enrollment;
  - ✓ The reference to the Educational Master Plan does not elaborate how it corresponds to each of the bond projects;
  - ✓ The section that mentions the Vision 2030 Facilities Master Plan has bullet points that don't accurately reflect what appears in the summary;
  - ✓ The bond financial and performance audits that are presently found on the Fiscal Services COD web page should be moved to the C.O.C. web page for easier access;
  - ✓ The Measure B and Measure CC links on the COD home page routes to the MAAS Companies web site which only addresses Measure B.  
These links should be updated to connect to the COD C.O.C. web page and reflect both Measure B and Measure CC, and
  - ✓ The Bond Projects Expenditures and Progress matrix does not reflect how funding has been spent with remaining balances disclosed for each bond funded projects.

### 3.3 Conclusion

- The District noted the committee's recommendations to the 2020-2021 C.O.C. Annual Bond Report and will incorporate them into the draft.

3.3 Follow-up Item	3.3 Task of	3.3 Due by
None	None	None

### 3.4 Three Committee Member Vacancies

- The District advised the committee that ads were placed in the Desert Sun on the following dates for the Member-At-Large, East Valley and Taxpayers’ Association Representative committee member vacancies:
  - ✓ December 4<sup>th</sup> and 5<sup>th</sup> and December 11<sup>th</sup> and 12<sup>th</sup>
- The District informed the committee that Board approval of the Student Representative nominee Ariana Muniz is pending.
- The District notified the committee that a total of four applications have been received for the Member-At-Large, East Valley vacancy.
- A discussion ensued concerning the Taxpayers’ Association Representative and the vacancy. The district noted that historically this member position is the most difficult to fill but strategies are in place to continue the recruitment process.

**3.4 Conclusion**

- The committee was provided with a recruitment update to fill committee member vacancies.

<b>3.4 Follow-up Item</b>	<b>3.4 Task of</b>	<b>3.4 Due by</b>
None	None	None

**3.5 Committee Bylaws and Conflicts of Interest Agreement**

- In response to the Committee’s inquiry regarding the signing of a Conflicts of Interest Agreement form the District cited clause 5.3 of the bylaws which states that C.O.C members are exempt and not subject to the government code that requires completion of form 700, which is the Ethics Policy Agreement. The Chair reminded the committee that all members should be mindful of any conflict of interest that may arise in reference to the committee business and, if so, remember to recuse themselves accordingly.

**3.5 Conclusion**

- The committee was reminded about conflicts of interest guidelines and references in the committee bylaws.

<b>3.5 Follow-up Item</b>	<b>3.5 Task of</b>	<b>3.5 Due by</b>
None	None	None

**3.6 2022 C.O.C. Meeting Dates**





The District advised the committee of the following 2022 C.O.C. meeting schedule, which, until further notice, will be on Zoom beginning at 3:30 pm:

- ✓ Tuesday, March 8<sup>th</sup>, 2022
- ✓ Tuesday, June 14<sup>th</sup>, 2022
- ✓ Tuesday, September 13<sup>th</sup>, 2022
- ✓ Tuesday, December 13<sup>th</sup>, 2022

### 3.6 Conclusion

- The committee acknowledged the 2022 meeting schedule.

3.6 Follow-up Item	3.6 Task of	3.6 Due by
None	None	None

### 4. Future Agenda Topics

- Final version of 2020-2021 C.O.C. Annual Bond Report (Information item)
- Audit report by Eide Bailly Representative (Information item)
- How the Education Master Plan and 2030 Vision Facilities Master Plan interrelate to the Committee (Discussion Item)

### 5. Questions for the District

- Chair Andrew Harker posed the following two questions to the District Officials, concerning Bond proceeds and expenditures:
  1. "Are you aware of any Bond proceeds that were expended for purposes other than those set forth in Measure B or Measure CC?"  
On behalf of the District John Ramont responded, "No."
  2. "Are you aware of any Bond proceeds that were expended for any teacher or administrative salaries of the College or for the operating expense?"  
On behalf of the District John Ramont responded, "No."

### 6. Adjournment

The Committee adjourned at 4:42 p.m.

### Next Meeting

Tuesday, March 8, 2022 at 3:30 p.m. via Zoom Video Conference Meeting