



Peralta Community College District Bond Measures Oversight Committee

2006 Measure A & 2018 Measure G Annual Compliance Report for Fiscal Year 2021-22



College of Alameda: Groundbreaking for the Automotive Technology Building



Berkeley City College: visualization of the new Milvia Street building



Merritt College: Groundbreaking for the Child Development Center



PROPOSED LIBRARY / LRC ALONG 7TH STREET
P000 LANEY COLLEGE LIBRARY & LRC
CD PROGRESS UPDATE | OCTOBER 16, 2020
Laney College: visualization of new Learning Resource Center



MESSAGE FROM THE PERALTA CITIZENS' BOND OVERSIGHT COMMITTEE CHAIR DURING
FY 2021-22

The Peralta CCD Measure A and G Citizens' Bond Oversight Committee is pleased to present our FY 2021-22 Annual Report to the community. We recognize the extraordinary efforts that the Peralta Community College District facilities team has made in keeping the capital improvements projects moving during the 2020 and 2022 years of the Corona virus pandemic.

The facilities team lead by Atheria Smith (Interim Vice Chancellor of General Services) under Chancellor Jannett Jackson's leadership have kept us informed and all stakeholders aware of the progress in each of the many Peralta CCD bond projects. Additionally, under Dr. Jackson's guidance, all four of the Peralta Colleges were reduced from Probation to Warning status in January 2022 by the Accrediting Commission for Community and Junior Colleges (ACCJC), with all sanctions removed and full accreditation restored by ACCJC in January 2023.

Our review of the bond annual financial and performance audits of the bond program confirms that the District is complying with voter approved bond language. We compliment the Board of Trustees for their continued support and their ongoing efforts to allocate these bond funds in a manner that addresses the critical needs of the Peralta Community College District.

The Peralta CCD Citizens' Bond Oversight Committee remains committed to fulfilling our role of reporting to the tax-paying community on the activities of the Measure A and G Bond Program.

Sincerely,
Andrea Dawson
Chair from 2019-2023
Citizens' Bond Measures Oversight Committee
Peralta Community College District



Peralta Community College District Bond Measures Oversight Committee

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PURPOSE OF THIS REPORT

The State of California requires Citizens' Bond Oversight Committees (CBOC) to inform the public and taxpayers concerning the Proposition 39 (55% local school bond measures) expenditures and use of bond funds at least once a year. *"The Citizens' Oversight Committee's shall actively review and report on the proper expenditure of taxpayers' money for school construction,"** in accordance with voter-approved projects listed in the local bond measure ballot language *(Cal. Educ. Code § 15278).

The Peralta Community College District (PCCD) Board of Trustees has designated this Bond Measures Oversight Committee (BMOC) as their citizens' oversight committee to 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.

This is the Bond Measures Oversight Committee Annual Report for Fiscal Year 2021-22 on the Measure A and G Capital Improvement Program for Peralta Community College District (PCCD).

The 2021-22 Bond Measure Citizens' Oversight Committee Statement of Compliance opinion on the 2006 Measure A Bond and 2018 Measure G program is submitted to Peralta Community College District in accordance with Education Code § 15278 (b). The committee advises that, based on available information provided by the District and the audit firm CDWL (<https://cowl.com/>) fiscal year 2021-22 Financial and Performance Audit, the BMOC does find the District is in compliance with the requirements of Article XXIII A, Section 1(b)(3) of the California Constitution.



FOCUS OF THIS REPORT

In November 2018 voters overwhelming passed the \$800 million Bond Measure G to continue upgrades to aging classrooms, technology, science labs; expand job training classrooms at the Peralta Community College District campuses.

Major Capital Projects continue to advance through planning and design. Major projects are underway, including the new **Berkeley City College** West building, previously referenced as the Milvia Street Project; the **College of Alameda** Auto/Diesel Technologies Complex, Aviation Complex, and completion of the New Center for Liberal Arts; **Laney College's** Title IV Locker Room Modernization, the East Bay Municipal Water District Water Main Relocation, Central Utility Plant Modernization, new Learning Resource Center, and Theater Modernization; and **Merritt College's** Child Development Center, and Horticulture Complex replacement. In addition, the bond has been funding much needed improvements to site infrastructure, system upgrades and major repairs, as well as improvements to the Information Technology infrastructure. Major Capital Project construction progressed in the Summer/Fall of 2022 with groundbreaking ceremonies for the Merritt Child Development Center and College of Alameda Auto/Diesel Technologies Complex taking place in early 2023.

On June 6, 2006 Alameda County voters approved the \$390 million (2006) Measure A Bond. The PCCD has been performing construction work from these funds and is presently in the final stage of the spending program. These Capital Improvement Projects were for the acquisition, construction, repair, refurbishment, equipping, upgrading, and modernization of classrooms, campuses, buildings, facilities, and grounds throughout the PCCD.

Interim Vice Chancellor of General Services, Atheria Smith, currently leads the Bond Measure A and G capital program work. IVC Smith was promoted to lead the Department of General Services (DGS) at the Peralta Community College District when the previous Vice Chancellor left PCCD in November 2020.

IVC Smith reports to Interim Chancellor Dr. Jannett N. Jackson, who came out of retirement to lead PCCD in April 2021. Dr. Jackson previously worked in PCCD as College of Alameda President before leaving to become the chancellor of the Chabot-Las Positas CCD, from which she retired in 2018. She is also a veteran, having served in the Persian Gulf war, and retired as a Colonel in the US Army National Guard. In October 2021, the Board of Trustees extended Dr. Jackson's contract as Interim Chancellor to the end of December 2023, bringing much needed leadership stability to the district. A search for a new permanent chancellor is underway.

IVC Smith has worked closely with AECOM, the bond program management firm led by Keith Kajiya and Sharon Serrano, who serve as the PCCD Bond Program Manager. Together, they have worked to align the program's goals with the Bond project lists and the capital program spending plan. Outsourcing the bond program management to a respected external organization such as AECOM has clearly had a positive impact on the bond program at PCCD. Mr. Kajiya, Ms. Serrano, and David Olsen from Backstrom McCarley Berry & Co. LLC (who



oversee bond financing) frequently gave bond program updates to the BMOC. Those presentations can be found on the Build Peralta website at <https://build.peralta.edu/presentations-and-briefings>.

AECOM assists the District in planning and implementation of design and construction activities. Additionally, Kitchell CEM, Roebbelen CM, and Swinerton Management and Consulting were hired as the Construction Managers, and were each assigned to specific campuses to manage various capital projects.

The [final series of 2006 Measure A bond funds in the amount of \\$65 million were sold on April 22, 2020 and the first series of 2018 Measure G bond funds in the amount of \\$50 million were sold on April 22, 2020. In July 2020, it was announced](#) that the district refinanced previously issued bonds to take advantage of the historically low interest rates, thus saving the taxpayers over \$5 million. This process of selling and the resale of the Peralta CCD taxpayer bonds are facilitated by a team comprised of district staff and Backstrom McCarley Berry & Company, Barclays, Curls Bartling, Orrick, and Siebert-Williams. [The second series of 2018 Measure G bonds were sold in November 2022](#). That total sale of \$151million included \$120 million of 2018 Measure G bonds that will fund voter-approved infrastructure improvements at PCCD's four colleges and \$31 million of GO refunding bonds to refinance bonds issued in 2012.

Here are some recent bond program highlights.

College of Alameda

New Center for Liberal Arts – Design Build (DB)

- A virtual grand opening was held during the pandemic, and as of the Spring 2023 semester, the building is now fully open and serving students.

Auto and Diesel Technologies – Design Bid Build (DBB) State Funded

- This project broke ground in 2023 with a celebration at College of Alameda and is now under way

Aviation Complex Phase 1 - Design Bid Build (DBB)

- A new architect has been selected.

Berkeley City College

2118 Milvia Street (New Building) - Design Build (DB)

- Work is underway to demolish the existing building with plans for a ground breaking ceremony for Fall 2023. _

Laney College

Portable Modular Village - Design Bid Build (DBB)

- Construction completed with minor closeout processes remaining.



Laney Locker Room Modernization – Design Build (DB)

- 25 year old uncertified projects were revisited and this project is now moving forward, with RFP for labor issued in Spring 2023

EBMUD Water Main Relocation - Design Bid Build (DBB)

- The project completed the procurement process, the Board approved the construction contract which is now in progress.

Learning and Resource Center - Design Bid Build (DBB)

- The discovery of a new fault line required the Division of the State Architect (DSA) and California Geological Survey (CGS) to request additional seismic upgrades to the design of the building. The Geotechnical Engineer and the Architect are redesigning the specific elements of the building to respond to DSA and CGS's requests.

Laney Theater Modernization - Design Bid Build (DBB)

- DSA is requesting a coordination letter from BART regarding the proximity of their tunnel to the new Lobby extension footprint.

Merritt College

Child Development Center - Design Bid Build (DBB)

- A [groundbreaking ceremony](#) was held at Merritt College on February 1, 2023. This project is now well under way.

Horticulture Building - Design Bid Build (DBB)

- Division of State Architect approved the construction. A groundbreaking ceremony is being planned for September 2023.

Districtwide

District has made improvements including Blue Phone Installation (phase 2 now completed), Elevator upgrades at every campus, and ongoing roofing work at each of the campuses.

At the time of this writing, the Governor has ended the COVID-19 pandemic state of emergency. All meetings during FY 2021-22 were held virtually on “Zoom” meeting platform.

BMOC MEMBERSHIP DURING FY 2021-22

- Andrea Dawson, Chair - Senior Citizen’s Organization (3rd term expires 6/30/2024)
- Marcus Crawley - Taxpayers Organization (2nd term expires 6/30/2025)



- Yusef Herbert - Business Organization (3rd term expires 6/30/2024)
- Benjamin Scott - College Supporter (2nd term expires 6/30/2024)
- Stacy Thompson – At-Large Member (1st term expires 6/30/2024) Appointed 3/2022
- Jeff Cambra – At-Large Member (1st term expires 6/30/2024) Appointed 3/2022
- [Vacant] – Student Representative

CURRENT BMOC MEMBERSHIP as of JULY 2023

- Marcus Crawley, Chair - Taxpayers Organization (2nd term expires 6/30/2025)
- Jeff Cambra, Vice Chair – At-Large Member (1st term expires 6/30/2024) Appointed 3/2022
- Andrea Dawson - Senior Citizen’s Organization (3rd term expires 6/30/2024)
- Yusef Herbert - Business Organization (3rd term expires 6/30/2024)
- Benjamin Scott - College Supporter (2nd term expires 6/30/2024)
- Jill Broadhurst – At-Large Member (1st term expires 6/30/2025) Appointed 3/2023
- [Vacant] – Student Representative

FINANCIAL AND PERFORMANCE AUDIT REPORTS

This Report examines the compliance of PCCD for (2006) Measure A and (2018) Measure G. Per the voter approved (2000) Proposition 39 and related Education Code 15278, the PCCD is required to have the annual independent financial and performance audit. It must be submitted to the District by March 31 of the year following for the prior fiscal year’s expenditures (Education Code section 15286). These yearly financial and performance audits are meant to form the basis of the BMOC’s Annual Compliance Report to the public.

CWDL LLP was contracted to conduct the performance and financial audit on of 2006 Measure A fiscal year ending June 30, 2022. CWDL [presented their findings publicly to the Board of Trustees](#) on [December 13, 2022](#) and [presented their findings to the BMOC](#) at our February 8, 2023 Zoom conference meeting. Ben Leavitt, an auditor with CWDL LLP confirmed that PCCD bond spending is compliant with the law, with no negative findings. CWDL noted the conclusion of the Performance Report during their presentation to the BMOC that “The results of our tests indicated that, in all significant respects, Peralta Community College District expended Measures A & G General Obligation Bond funds for the year ended June 30, 2022 only for specific projects developed by the District’s Board of Trustees and approved by the voters, in accordance with the requirements of Proposition 39, as specified by Section 1(b)(3)C of Article XIII A of the California Constitution, except as noted in Finding 2022-001.”

End of Report