

MARIN COMMUNITY COLLEGE DISTRICT
MEASURE B 2016

MEETING MINUTES
CITIZENS' BOND OVERSIGHT COMMITTEE MEETING
SEPTEMBER 16, 2020

LOCATION:
ZOOM CALL

CITIZENS' BOND OVERSIGHT COMMITTEE, MEMBERS PRESENT

Margaret De Somma	Chair and Representative, At Large
Eric D. Sitzenstatter, Jr.	Vice Chair and Representative, Senior Citizens' Organization
Jeff Gunderson	Representative, At Large
Paul Premo	Representative, Taxpayers Association
Jason Lau	Representative, Support Organization

CITIZENS' BOND OVERSIGHT COMMITTEE, MEMBERS ABSENT

Janelle LaChaux	Representative, Student Organization
Vacant	Representative, Business Organization

MARIN COMMUNITY COLLEGE DISTRICT, STAFF PRESENT

Isidro Farias	Director of Capital Projects
Beth Rhodes	Manager of Communication and Outreach
Katy Bauer	Executive Assistant
Jesse Klein	Executive Assistant

CONSULTANTS

Ann Kennedy	A Kennedy Group, Financial Manager
Mike Chegini	A Kennedy Group, Communications Manager
Ellen Clements	Gilbane Building Company, Program Manager

GUESTS

None

I. CALL TO ORDER

The Citizens' Bond Oversight Committee (CBOC) meeting was called to order by Chair, Margaret De Somma, at approximately 4:31 PM.

II. ROLL CALL/ZOOM ETIQUETTE

Executive Assistant, Katy Bauer, took roll call. Committee Chair, Margaret De Somma, Committee Members, Eric Sitzenstatter, Paul Premo, and Jeff Gunderson were present, establishing a quorum. Committee Member, Jason Lau joined at approximately 4:35 pm. Committee Member, Janelle LaChaux was absent. Financial Manager, Ann Kennedy, discussed protocols for the virtual format, including that the meeting would be recorded, that the Committee Members and District staff are panelists, and would be able to mute and unmute themselves. She also demonstrated the raise hand feature and said that members of the public (if any) could type their comments into the chat box in order to address the Committee.

III. APPROVAL OF AGENDA

Committee Chair, Margaret De Somma, made a motion to approve the agenda with no changes. Committee Member, Jeff Gunderson, seconded the motion. The motion was carried by the Committee Members present (5 approvals, 1 absent).

IV. APPROVAL OF THE MEETING MINUTES FOR JANUARY 29, 2020

Committee Member, Margaret De Somma, made a motion to approve the January 29, 2020 meeting minutes with no changes. Committee Member, Paul Premo, seconded the motion. Committee Member, Jason Lau abstained because he was absent from the meeting. The motion was carried by the Committee Members present (4 approvals, 1 abstention, 1 absent).

V. ELECTION OF VICE CHAIR

Committee Member, Eric Sitzenstatter, volunteered to be the Vice Chair. The motion was approved by Committee Member, Jeff Gunderson, and seconded by Committee Member, Jason Lau. The motion was carried by the Committee Members present (5 approvals, 1 absent).

VI. PUBLIC COMMENT ON NON-AGENDA ITEMS

No comments were received from the public.

VII. COMMUNICATIONS RECEIVED BY COMMITTEE MEMBERS

No communications were received by Committee Members.

VIII. COMMUNICATIONS FROM STAFF

No communications were received from staff.

IX. PREPARATIONS FOR ANNUAL REPORT

Communications Manager, Mike Chegini, discussed the development of the Annual Report and shared a proposed schedule. The preparations will take place via email unless the Committee Members request a virtual meeting. He asked for Committee Chair, Margaret De Somma, and one or two additional Committee Members to assist with the preparation of the report. The draft Annual Report will be reviewed by the full Committee at the January 20, 2021 meeting. Committee Chair, Margaret De Somma, and Committee Member, Jeff Gunderson, volunteered to assist.

X. PROGRAM/PROJECT UPDATE REPORT

- a. Director of Capital Projects, Isidro Farias, provided a Measure B update which included the Learning Resources Center (LRC) Design and Environmental Impact Report (EIR). He shared the EIR timeline from November 2019 to June 2020. The District solicited public input as part of the process, and received four public comments, but there were no significant issues raised. The EIR was certified by the Board of Trustees on June 16, 2020, and the Mitigation Monitoring and Reporting Program (MMRP) was also adopted. As a result, the Board determined that the project is in compliance with the California Environmental Quality Act (CEQA).
- b. The Maintenance & Operations (M&O) building is relatively complete, save for some minor punch list items. District staff have moved in, and the facility is operational; however, placement of the fence along the Kentfield School District (KSD) boundary, as required by the settlement with KSD is still in progress. The Marin County Office of Education (MCOE) pickup and drop off zone also

requires additional fence work. Since the majority of the work required as part of the settlement with KSD has been completed, the District has received positive comments from KSD and MCOE staff.

- c. Manager of Communication and Outreach, Beth Rhodes, was hired in March 2020 and has been heading up communications and outreach for the Measure B program. She has been involved with the EIR outreach, the Lease-Leaseback Request for Proposals process, and the Landscape Master Plan outreach. The Measure B and LRC communication plan drafts are nearing approval.
- d. Director of Capital Projects, Isidro Farias, provided a presentation showing the progress of Measure B projects, including the Jonas Center which should be complete in October 2020, New Miwok Center which is under construction, Performing Arts audio/visual improvements which are nearly complete, Maintenance & Operations Building and District Warehouse which is also nearly complete, Fusselman Hall structural and waterproofing improvements which is in DSA close-out, and the LRC which has now been demolished. He noted that the LRC project has had some minor delays due to the Tribal Monitoring Agreement and Tribal Cultural Resource Plan. A Virtual Tour (time lapse) of the Jonas Center, New Miwok Center and LRC was provided.

XI. FINANCIAL AND COMPLIANCE ITEMS

- a. Financial Manager, Ann Kennedy, gave an overview of the Measure B 2016 Program Financial Reports for the period from inception through June 30, 2020. She encouraged the Committee to review the project update report provided by Director of Capital Projects, Isidro Farias. Committee Chair, Margaret De Somma, asked about the New Miwok Center and would like to know the details behind the budget changes from \$27 to \$32 million. Executive Assistant, Katy Bauer, will ask Vice President, Greg Nelson, to provide an inception to date history of change report at the next meeting. Committee Chair, Margaret De Somma, made a motion to approve the Measure B 2016 Program Financial Reports for the period ending June 30, 2020. Committee Member, Jason Lau, seconded the motion. The motion was carried by the Committee Members present (5 approvals, 1 absent).
- b. No questions were sent to Bond Counsel in the last quarter.
- c. Financial Manager, Ann Kennedy, discussed the Measure B 2016 Bond List Revisions (BLRs). She reminded the Committee that any name, scope or budget change, must be submitted on the Board agenda and approved by the Board of Trustees.
 - i. BLR #10, approved at the May 12, 2020 Board Meeting, is embedded in the June 30, 2020 reports. It includes scope refinements, and budget adjustments including allocation of taxable and non-taxable interest earnings. Committee Member, Jeff Gunderson, would like to see more detail on the needs analysis for the budget adjustments. Committee Chair, Margaret De Somma, clarified that she would be interested in seeing any increases over \$3 million. Committee Member, Jason Lau, asked if a percentage or threshold is used to determine contingency. Financial Manager, Ann Kennedy, replied that there are three levels of contingency in this program: District Wide, Campus, and Project. Typically, for District Wide at the highest level, it is roughly 3% of risk of the overall program at the initiation of the program, and as projects complete and risk goes down, the percentage goes up. The campus contingencies were originally around 4-5% and adjust over time at each site. Project contingency is roughly 7% for each project at the start of the program and will be adjusted for each project based on the degree of risk. At a certain point, nearing completion of projects, the District can plan to spend the final expenditures in contingency. Financial Manager, Ann Kennedy, noted that these are estimates, and she will report back on the actual percentages at the next meeting.

- ii. BLR #11, approved at the August 11, 2020 Board Meeting, is after this reporting period, but it was applied as part of the capitalization activity. It is a technical BLR to adjust budgets and recognize interest earnings.
- iii. BLR #12, approved at the September 15, 2020 Board Meeting, is the annual overhead allocation, and is approved as a Consent item since it is an accounting function. It is an overhead allocation, which is a distribution of District Wide Program Management costs out to individual projects, based on project activity. It is applied to fiscal year end close and reviewed by auditors.

XII. RESOLUTION NO. 2020-07: SECOND AMENDED AND RESTATED BYLAWS

Financial Manager, Ann Kennedy, provided an update on the Second Amended and Restated Bylaws, which removed the previous bond Measure C 2004, which is now closed, from the Committee’s purview.

XIII. REVIEW OF COMMITTEE MEMBERSHIP

Financial Manager, Ann Kennedy, discussed that the majority of Committee Members are coming up on the end of their second term, and Committee Member, Jason Lau, is coming up on the end of his first term in April 2021, and asked Committee Members to consider committing to a third, or second term, respectively. Committee Members will be asked at the January 20, 2021 meeting if they are willing to resubmit their applications. If any Committee Members do not wish to continue to serve on the Committee, District staff will actively recruit and will ask Committee Members to also actively recruit to fill vacancies.

XIV. NEXT MEETING DATES

Executive Assistant, Katy Bauer, said the next meeting is Wednesday, January 20, 2021, at 4:30 PM at the Indian Valley Campus, depending on whether in person meetings are allowed on campus. Financial Manager, Ann Kennedy, said that it’s important to have a quorum at the next meeting because the auditors will present their Financial and Performance Audits, and the Committee will finalize the Annual Report prior to presenting to the Board of Trustees. Committee Chair, Margaret De Somma, asked to move the start of the meeting to 4:00 PM and would like to have a tour of the New Miwok Center at 4:00 PM and start the meeting at 4:30 PM. All Committee Members present agreed to move to 4:00 PM if in person meetings are allowed on campus. A video tour can be provided if a physical tour is not available.

XV. TOPICS FOR NEXT MEETING

Committee Chair, Margaret De Somma, recapped that topics for the January 20, 2021 Meeting are review of the draft Annual Report, review of the 2019-2020 Financial and Performance Audits, update on the New Miwok Center budget increase, and a tour or virtual tour of the New Miwok Center.

XVI. ADJOURNMENT

The meeting was adjourned at approximately 5:44 PM.