

MARIN COMMUNITY COLLEGE DISTRICT  
MEASURE B 2016

MEETING MINUTES  
CITIZENS' BOND OVERSIGHT COMMITTEE MEETING  
JANUARY 20, 2021

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
Janelle LaChaux	Representative, Student Organization

CITIZENS' BOND OVERSIGHT COMMITTEE, MEMBERS ABSENT

Vacant	Representative, Business Organization
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MARIN COMMUNITY COLLEGE DISTRICT, STAFF PRESENT

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

CONSULTANTS

Ann Kennedy	A Kennedy Group, Financial Manager
Mike Chegini	A Kennedy Group, Communications Manager
John Dominguez	CWDL, Certified Public Accountants

GUESTS

None

I. CALL TO ORDER

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The Citizens' Bond Oversight Committee (CBOC) meeting was called to order by Chair, Margaret De Somma, at approximately 4:35 PM.

II. ZOOM ETIQUETTE

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Communications Manager, Mike Chegini, reviewed 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.

III. ROLL CALL

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Executive Assistant, Katy Bauer, took roll call. Committee Chair, Margaret De Somma, Committee Members, Jeff Gunderson, Jason Lau, Paul Premo, and Eric Sitzenstatter, were present, establishing a quorum. Committee Member, Janelle LaChaux joined at approximately 4:44 PM.

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IV. APPROVAL OF AGENDA

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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).

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V. APPROVAL OF THE MEETING MINUTES FOR SEPTEMBER 16, 2020

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Committee Chair, Margaret De Somma, made a motion to approve the September 16, 2020 meeting minutes with no changes. Committee Member, Jeff Gunderson, seconded the motion. The motion was carried by the Committee Members present (5 approvals, 1 absent).

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VI. PUBLIC COMMENT ON NON-AGENDA ITEMS

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No comments were received from the public.

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VII. COMMUNICATIONS RECEIVED BY COMMITTEE MEMBERS

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No communications were received by Committee Members.

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VIII. COMMUNICATIONS FROM STAFF

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No communications were received from staff.

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IX. MEASURE B 2016 FINANCIAL AND PERFORMANCE AUDITS FOR FY 2019/2020

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CWDL Certified Public Accountant, John Dominguez, presented the financial and performance audits for the fiscal year ending June 30, 2020. For the Measure B financial audit, the auditor provided an unmodified opinion, which means the information provided by management that they subjected their audit procedures to was accurate, and the notes were present as required by audit standards. For the performance audit for the fiscal year ending June 30, 2020, CWDL's focus is Proposition 39, as authorization for 55% voter approval results in increased audit standards and requirements and confirmed that there were no non-compliance items or exceptions. Committee Member, Jeff Gunderson, thanked John Dominguez and his firm for the positive and reassuring audits. Committee Chair, Margaret De Somma, asked how the firm comes up with transaction testing of 35% of total value. Certified Public Accountant, John Dominguez, replied that there is no industry standard, as Proposition 39 doesn't mandate a certain percentage. Committee Chair, Margaret De Somma, thanked Certified Public Accountant, John Dominguez, for the positive audit reports, as ensuring the bond funds are being used properly is one of the most important roles of the Committee.

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X. REVIEW AND APPROVAL OF THE FY 2019/2020 ANNUAL REPORT

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Communications Manager, Mike Chegini, thanked Committee Chair, Margaret De Somma, and Committee Member, Jeff Gunderson, for providing feedback, and reviewing the report. Communications Manager, Mike Chegini, presented the draft Annual Report to the Committee. The next step is for the Committee Chair to present the Annual Report to the Board of Trustees, as an action item on the agenda at the February 9, 2021 Board of Trustees meeting. Committee Member, Jason Lau, asked to be notified of the Board schedule so he may attend to support the Committee. Committee Chair, Margaret De Somma, made a motion to approve the FY 2019/2020 Annual Report. Committee Member, Jason Lau, seconded the motion. The motion was carried by the Committee Members present (6 approvals).

## XI. RESPONSE TO COMMITTEE REQUEST: BOND LIST REVISION HISTORY REPORT, NEW MIWOK CENTER

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Financial Manager, Ann Kennedy, presented an inception to date history of changes report for the New Miwok Center. Committee Chair, Margaret De Somma, asked for additional details on the revisions. Financial Manager, Ann Kennedy, said that the project had a \$10.4 million budget when it was envisioned, and the scope was to replace the old pool in its existing location and address ongoing maintenance of leaks (two separate projects). After an assessment, the District determined that a better solution was to relocate the pool elsewhere on campus due to geotechnical issues, and the central campus location facilitated better cohesion of community, and students. Bond List Revision No. 1 resulted in the two projects being merged into a single project and renamed from “Miwok Cluster” to “New Miwok Center” with a new project number and budget. Due to the change in project scope, new cost estimates, fees, ADA considerations, and pricing had to be considered. Bond List Revisions No. 6 and 9 incorporated the new funding source (anonymous donation) which increased project budget through an agreement process with the donor. Bond List Revision No. 10 included the GMP (Guaranteed Maximum Price) reconciliation, which included underground utilities, cost estimations for infrastructure needs, weather delays due to rain, and associated mitigation, leading to increased inspections, and construction management fees. Financial Manager, Ann Kennedy, reminded the Committee, that the \$40 million includes the other funding source of \$8.5 million; however, the project budget (bond funds only) still ties out at \$32,186,317 in the Project Summary Report. Committee Chair, Margaret De Somma, asked for an approximate cost increase for the re-routing of utilities to accommodate the dive tower. Director of Capital Projects, Isidro Farias, said that some costs were absorbed by the \$8.5 million donation, and Financial Manager, Ann Kennedy, believes it was around \$400 thousand. Committee Member, Jason Lau, asked what mechanism is in place to monitor budgets and keep costs under control. Financial Manager, Ann Kennedy, replied that best practice is for the Board of Trustee to approve changes to the approved project list; any time the District wishes to add or remove scope, money, or change intent they must obtain Board direction and approval. Committee Member, Jeff Gunderson, asked if the new additional costs were offset by additional funds provided by the donor. Director of Capital Projects, Isidro Farias, responded that from the total \$8.5 million donated, there was an approximate \$400 thousand delta but the final analysis hasn't been completed.

## XII. PROGRAM/PROJECT UPDATE REPORT

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- a. A virtual tour of the New Miwok Center was provided to the Committee via hyperlink.
- b. Director of Capital Projects, Isidro Farias, provided a project update, including the acquisition of 830 College Ave. and noted that the only improvements will be to the interior, and the programming is not finalized. Approximately 5,000 square feet will be utilized, and therefore removed from the LRC program. The New Miwok Center building and pools are under construction, and updated pictures were provided to the Committee. Committee Member, Janelle LaChaux, asked if the Committee could have a physical tour of the building once it is completed, and the COVID-19 restrictions have been lifted. Director of Capital Projects, Isidro Farias, replied that a tour could be provided after completion and once the restrictions are lifted.

## XIII. FINANCIAL AND COMPLIANCE ITEMS

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- a. Financial Manager, Ann Kennedy, gave an overview of the Measure B 2016 Program Financial Reports for the period from inception through September 30, 2020. She reminded the Committee that the other funding sources include Rotary, Certificates of Participation, and the anonymous donation related to the New Miwok Center. Committee Member, Jason Lau, asked whether there will be future spending and allocation to the Bolinas project. Director of Capital Projects, Isidro Farias, said that the Bolinas project had been approved by the County of Marin, and the next stage is determining feasibility of moving forward based on costs with a rough estimate of \$4 million. Once the cost estimate is final, President Coon will present to the Board of Trustees to see if they would like to move forward. Committee Chair, Margaret De Somma, made a motion to approve the Measure B 2016 Program Financial Reports for the period ending September 30, 2020. Committee

Member, Janelle LaChaux, seconded the motion. The motion was carried by the Committee Members present (6 approvals).

- b. No questions were sent to Bond Counsel in the last quarter.

#### XIV. 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. Financial Manager, Ann Kennedy, asked Committee Members to consider committing to a third, or second term, respectively. Committee Members, Margaret De Somma, Jeff Gunderson, Eric Sitzenstatter, Paul Premo, and Janelle LaChaux agreed to serve for a third two-year term, and Committee Member, Jason Lau, agreed to serve for a second two-year term. All Committee Members agreed to use their original applications, in lieu of submitting new applications for the Board of Trustees' approval. Financial Manager, Ann Kennedy, noted the current vacancy for a business organization representative and asked that all Committee Members actively recruit for vacant positions, and actively recruit for replacements once they are nearing the end of their term, as members are not allowed to serve longer than three two-year consecutive terms. Committee Member, Janelle LaChaux, asked for information about how to apply for the vacant position. Communications Manager, Mike Chegini, said he would send the links via email. Committee Chair, Margaret De Somma, asked if members could leave the committee and return. Financial Manager, Ann Kennedy, said that the member would need to be gone for one full year, and then would be eligible for three two-year consecutive terms again.

#### XV. NEXT MEETING DATES

The Committee reviewed the next meeting dates and agreed that no changes to the schedule were needed.

#### XVI. TOPICS FOR NEXT MEETING

Committee Chair, Margaret De Somma, recapped that topics for the March 17, 2021 meeting are Bolinas and election of the Chair and Vice Chair, as the Bylaws state that the election must be done once a year.

#### XVII. ADJOURNMENT

The meeting was adjourned at approximately 5:58 PM.