

**MARIN COMMUNITY COLLEGE DISTRICT  
MEASURE B 2016**

**MEETING MINUTES  
CITIZENS' BOND OVERSIGHT COMMITTEE MEETING  
June 14, 2022**

**LOCATION:  
ZOOM CALL**

CITIZENS' BOND OVERSIGHT COMMITTEE MEETING, MEMBERS PRESENT

Margaret De Somma	Chair and Representative, At-Large
Jeff Gunderson	Vice Chair and Representative, At-Large
Richard Jensen	Representative, Senior Citizens' Organization
Bruce Schauble	Representative, Senior Citizens' Organization
Jason Lau	Representative, Support Organization
Jim Grossi	Representative, Business Organization

CITIZENS' BOND OVERSIGHT COMMITTEE MEETING, VACANT SEATS

Representative, Taxpayers' Association  
Representative, Student Organization

MARIN COMMUNITY COLLEGE DISTRICT, STAFF PRESENT

Greg Nelson	Asst. Superintendent/VP of Administrative Services
Irmgard Witte	Administrative Assistant Capital Projects

CONSULTANTS

Jeff Scogin	A Kennedy Group, Financial Manager
Mike Chegini	A Kennedy Group, Communications Manager
Beth Rhodes	Gilbane Building Company, Manager, Communications and Outreach

I. CALL TO ORDER

The Citizens' Bond Oversight Committee (CBOC) meeting was called to order by Margaret De Somma at approximately 4:32 P.M.

II. ROLL CALL

Irmgard Witte took roll call. Margaret De Somma, Bruce Schauble, Richard Jensen, Jim Grossi and Jason Lau were present, establishing a quorum. Jeff Gunderson joined at approximately 4:34 P.M.

III. APPROVAL OF AGENDA

Ms. De Somma made a motion to approve the agenda with no changes. Mr. Schauble seconded the motion. The motion was carried by the Committee Members present (6 approvals).

IV. RESOLUTION PERMITTING ONLINE MEETING (AB361)

The Committee reviewed and discussed a resolution, adapted from the College of Marin Board of Trustee's Resolution 2021-25, to justify online meetings during the pandemic by declaring a state of emergency still exists. Ms. De Somma made a motion to approve the resolution. Mr. Lau seconded the motion. The motion was carried by the Committee Members present (6 approvals).

V. APPROVAL OF MEETING MINUTES

a. Ms. De Somma made a motion to approve the March 16, 2022 meeting minutes with no changes. Mr. Gunderson seconded the motion. The motion was carried by the Committee Members present (6 approvals).

b. Ms. De Somma made a motion to approve the May 4, 2022 special meeting minutes with no changes. Mr. Schauble seconded the motion. The motion was carried by the Committee Members present (6 approvals).

VI. ELECTION OF CHAIR AND VICE CHAIR

Mr. Gunderson made a motion to elect Margaret De Somma as Chair. Mr. Lau modified the motion to include the election of Jim Grossi as Vice Chair. Mr. Schauble seconded the motion. There was discussion regarding when terms are over and who might step into those roles next. The motion was carried by the Committee Members present (6 approvals).

VII. PUBLIC COMMENT ON NON-AGENDA ITEMS

No comments from the public.

VIII. COMMUNICATIONS RECEIVED VIA WEBSITE

No communications via the website.

IX. COMMUNICATIONS FROM STAFF

Liability Insurance – Mr. Nelson followed up on a question the Committee posed at the May 4, 2022 meeting asking whether CBOC members are covered under the College of Marin (COM) insurance. He stated that the Committee is covered under COM's liability insurance as the CBOC is a subset of the District Board of Trustees (BOT) because the BOT appoints the members of the CBOC. He went on to say that if an individual CBOC member spoke or made comments on behalf of the CBOC and there is liability associated with those comments, that person is personally liable for any of those actions or comments.

X. PROGRAM/PROJECT UPDATE

Mr. Nelson provided an update on the Measure B Bond Program, including Bond List Revision #16, Construction Management and Program Management contract extensions and Learning Resources Center value engineering.

a. Measure B Bond Update- Mr. Nelson reviewed a list of potential summer projects that was shared with the Board of Trustees at the April 19, 2022 Board meeting. The list includes: Cell Services at Indian Valley Campus (IVC) (\$125K), Wayfinding (\$400K), Building 21 and Pool Demo & Phase I Renovation (\$1.2M), Shade Structure at IVC Farm Stand (\$250K), Kentfield Pool Work Planning & Design (\$75K), Gym Bleachers (\$300K), Building 17 Abatement & Partial Remodel (\$1M), Water Mapping & Transite Water Line Replacement (\$300K), Roofing on Power Plant I (\$250K), Electrical Assessment at both campuses (\$100K); a total of \$4M.

b. Bond List Revision #16 is required to fund projects scheduled for Summer 2022 and to cover other budget-related items. BLR #16 includes the redistribution of budgets from various completed or deferred projects as well as a name change to D61-35115 Bolinas Marine Laboratory to "Bolinas Field Station". Mr. Schauble asked for clarification regarding the source of the \$4M – specifically that it is not new money but instead money already in the budget that is being rearranged and redistributed. Mr. Nelson affirmed Mr. Schauble was correct. Mr. Grossi asked for confirmation that the Program Management budget increase came from other areas of the Measure B Bond budget and that the District-Wide/Program Contingency budget decrease went to cover the "Summer Projects". Mr. Nelson affirmed Mr. Grossi was correct. Mr. Lau asked for clarification on the decrease in Fusellman Hall budget. Mr. Nelson said that there was no more work to be done at Fusellman Hall.

c. The Construction Management (CM) and Program Management (PM) contract extensions include a 36-month extension of staff support. Potential savings to be realized with the CM contract by reducing CM staff from five to three positions. These positions are: Program Manager, Sr. Project Manager and Senior Project Engineer. At the end of the 36-month extension there is the option of an annual year-to-year contract renewal.

d. Learning Resource Center (LRC) value engineering was presented by Mr. Nelson. The Final Construction Document presentation at the June 2022 Board Meeting is the culmination of over three years of design. "Make Ready" projects are ongoing and Increment 1 has been submitted to the Division of State Architect (DSA). The project is currently on budget due to the value engineering (VE) process that has been implemented at various project stages. Mr. Nelson shared that the goals of VE were to maintain the District fixed budget, drive decision making based on District goals and preserve District approved programmatic building needs. Compounding cost factors include cost increases because of the archeological sensitivity of the site, volatility in the market due to current inflation and availability of resources and supplies. VE modifications to date include substitution of materials (ceiling tile, interior clearstory glass and conventional doors in lieu of Nana wall). Other VE savings were achieved through reduction of materials (casework, acoustical wall panels, roller shades in north facing areas, wood ceilings and skylights). Design elements that were modified in the VE process include terra cotta rainscreen, wood accent wall and colored plaster instead of tile on the exterior. Mr. Schauble asked who is responsible for making these kinds of changes including value judgements, aesthetic calls and monetary costs. Mr. Nelson replied that the project team (10-12 people) is made up of himself, the other Vice President, staff from Gilbane, the general contractor and other Administrative Services and Maintenance and Operations (M&O) staff. Ms. De Somma inquired if the contracts have gone out to bid to which Mr. Nelson replied that the contractor and architect were selected almost three years ago and have been working together through the design process. Mr. Nelson gave a brief overview of lease-leaseback vs design-build vs design-bid-build in response to Ms. De Somma's question on the benefit of lease-leaseback. Ms. De Somma inquired whether raw materials costs could go up in a lease-leaseback arrangement. Mr. Nelson responded that the contractor is locked into what they have bid and has been accepted by the District for Make Ready, Increment I and Increment II.

#### XI. FINANCIAL AND COMPLIANCE ITEMS

a. Measure B 2016 Program Financial Reports for period ending 03/31/2022 were presented by Mr. Scogin. Over 50% of Measure B funds have been expended. The bond authorization was \$265M, to date just over \$8M in interest has been allocated to projects. In addition to bond funds, there is approximately \$18M of additional funding that has come into the program (Rotary, donation and Certificates of Participation (COPS)). In Q3, \$2.89M of Measure B Bond funds were spent. Of the \$2.89M, just over \$2M was attributable to the LRC. Mr. Grossi asked how the project is protected considering the uncertainty of costs going up. Mr. Scogin clarified whether the question was in relation to selling the bonds and replied that all bonds in series A, A-1, B and B-1 have already been sold. Margaret De Somma made a motion to accept the financial reports for Q3. Mr. Lau seconded the motion. The motion was carried by the Committee Members present (6 approvals).

b. Review of the Program Management, District Staff Project (D98-35510) project was presented by Mr. Scogin in response to Mr. Lau's request at the May 2022 CBOC meeting for more information on this project. The original budget was \$7.3M covering the ongoing operating costs of managing and maintaining the Measure B Bond Program including management and compliance, election costs and costs of issuance, legal, district office labor, facilities master planning, advertising and program planning and management. Mr. Scogin explained that to capitalize expenditures on the entire bond program, at the end of every fiscal year, overhead and program management are distributed to projects based on the percentage of activity in that time period. Mr. Lau asked if more detail regarding District salaries could be provided to the Committee for a better understanding of full-time equivalent (FTE) salaries applied to the bond. Mr. Nelson explained that for efficiency, a Measure B team within M&O was put in place. This team included an electrician, gardener (for infrastructure), two carpenters and a receiving person. As of FY 2022-23, this team no longer exists due to transfer, retirement or termination. Mr. Grossi stated that while we should remain cautious, because of oversight from the State, he felt what was presented was sufficient. Mr. Schauble added that because of the complexity of bond management and

administration, it is necessary to have a certain information presented at a high level of generality. He asked for clarification on why District salaries vary greatly from year to year. Mr. Nelson responded that the District had a Measure B dedicated team of employees until the end of Fiscal Year 2022. The change over time reflects increase/decrease of active construction and the elimination of the Measure B team. Ms. De Somma inquired if Isidro Farias and Irmgard Witte were a part of that team to which Mr. Nelson replied that they have both been absorbed into the District budget as they now sometimes do work that is outside the Bond; the Bond also needed the resources for other projects. Mr. Lau affirmed that he personally has full confidence in the District staff and the Bond leadership. Mr. Lau further stated that he believes the Committee does not need to audit each item. Ms. De Somma agreed that she is comfortable with the D98 expenses. Mr. Jensen added that he looks to Greg's leadership in the manner he has managed expenses and in terms of output and activity. Mr. Grossi added he feels the Committee needs to be careful with the amount of information received because of the level of responsibility it would add to the Committee. Mr. Gunderson said he feels comfortable with the way things are regarding amount of detail and is always reassured by the positive audit reports of the Bond.

c. Questions sent to Bond Counsel since last meeting - None

#### XII. REVIEW OF COMMITTEE MEMBERSHIP

Ms. De Somma reminded the Committee that both she and Mr. Gunderson will term out in April of 2023 and asked if the District has considered advertising for CBOC positions. Mr. Scogin replied that the District has done advertising in the past and called on Committee members to reach out to neighbors and the community directly. Mr. Lau asked if a student has been identified to serve on the Committee. Mr. Nelson replied that the Associated Student Government has also had several vacant seats on their own board, but he will ask at their retreat in July.

#### XIII. NEXT MEETING DATES

The Committee reviewed next meeting dates and agreed that no changes to the schedule were needed. The next meeting is September 21 and may be an in-person meeting at the Indian Valley Campus (IVC), pending guidance and protocols related to the pandemic and in-person meetings. Ms. De Somma asked why the next meeting was not at Kentfield to which Mr. Nelson replied that meeting locations are rotated, and the September meeting is currently scheduled for IVC if the emergency declaration is rescinded.

#### XIV. FUTURE AGENDA ITEMS

a. Preparation for FY 2021-22 Annual Report

#### XV. ADJOURNMENT

Mr. Lau moved to adjourn and Mr. Gunderson seconded. The motion was carried by the Committee Members present (6 approvals). The meeting was adjourned at approximately 6:13 P.M.