Citizens' Oversight Committee Minutes

February 28, 2006, 3:00 p.m
AC 108, Kentfield Campus

APPROVED

Committee Members Present:
Dr. William Levinson, Chair
Robert Michels
Bill Scott
Julie Grantz
Ross Millerich, Co-Chair
Ted Bright
Dr. Lawrence Witter
R.J. de Recat
Richard Biegel
Jean Capurro
Perry Newman

Committee Members Absent:
Klif Knoles
Nancy McCarthy

Others in Attendance:
Al Harrison
Tina Treis
Geraldine Bracken
Dave Kirn
Bruce Rich
Jose Nunez
Don Flowers
Dale Molyneux

1. Welcome
Dr. Levinson welcomed the members.

2. Open Meeting
Following a members’ count, Dr. Levinson declared a quorum and the meeting open at 3:00 p.m. Dr. Levinson asked to amend the meeting agenda to delete Item 9. Annual Report as this review is covered in Item 7.B. M/s (Capurro/Biegel) to approve the amended meeting agenda. The motion passed unanimously.

3. Comments from the Audience on Items not on the Agenda
None.

4. Minutes
Dr. Levinson asked that 11/29/05 minutes, Item #9, be adjusted to show “Committee requested Mr. Harrison to provide an updated fiscal report indicating bond fund expenditures to date at each COC meeting. M/s (Scott/Bright) to approve the amended minutes of the November 29, 2005 meeting. The motion passed unanimously.

5. Auditor Fee
Mr. Harrison referred to the letters from counsel, David Casnocha, regarding auditor fees for our first semi-annual report. Mr. Harrison indicated that he had spoken with President White and recommended that the Board of Trustees accept the invoiced amount of $17,000 for audit fee payment.
Following the committee’s review of Perry-Smith audit fees, Mr. Harrison indicated that he had spoken with President White and recommended that the Board of Trustees approve the payment of the audit fee from the General Fund.

Mr. Harrison asked that the committee excuse Dr. White from the meeting, as she was not well today. She sent her apologies for her absence.

6. Process for Term Extension
Carolyn distributed an updated COC roster, including date of term expiration.

Dr. Levinson indicated that counsel had written to clarify all terms started on February 8, 2005. This could be interpreted that one-year term members were actually no longer members and that their votes at the meeting shouldn’t be counted. Dr. Levinson indicated he would note this in the minutes.

The committee discussed the actual start date of the initial members’ terms, and according to the Board of Trustees minutes, that date was February 8, 2005. In addition, although the committee was formed in February, it didn’t meet until May 3, 2005. The question put forth was “could the initial terms year commence on May 3, 2005 – the effective date of the committee. Dr. Levinson will look into this and report back to the committee.

In the meantime, one-year term members will be contacted or may contact Dr. White and let her know if they wish their terms to be extended for an additional two years. Dr. White will bring names of interested parties to the COM board at its next meeting for approval, and/or name new substitute members.

This issue requires immediate action as the committee must vote on the Audit Report at the April 4th special meeting and a positive vote to send the report on to the board requires seven affirmative votes.

7. Auditor’s Report
Ms. Tina Treis, Perry-Smith auditor, reviewed results of audit for period ending June 30, 2005. During the review of the Independent Accountant’s Report On Applying Agreed-Upon Procedures, First Page of Attachment 1, a correction was made. The election date for the Measure C Bond should read “November 8, 2004”.

The next audit, covering the 7/1/05 – 12/31/05 period, will be presented to the committee at our May 30th meeting. Dr. Levinson asked that Dr. White invite the auditor to attend the May 30th meeting.

The committee requested that any items in the District’s General Audit that pertain to the bond fund expenditures be transmitted to the committee for review and discussion at the May 30th meeting.
The committee also requested that, in the future, the auditor provide a listing to the committee of the specific expenditures which were audited.

The committee further asked that both the chair and vice-chair routinely be sent copies of the general fund audit materials.

8. Quarterly Financial Report
Consultants: Dave Kirk, Jose Nunez, Dale Molyneux, Geraldine Bracken, Bruce Rich, and Maintenance Supervisor, Don Flowers, lead the committee through a review of expenditures to date and a demonstration of Paragon, the Bond Management System.

9. Annual Report
The committee asked that administration prepare the reports until such time the committee elects to do it. Mr. Harrison offered to prepare and send a draft to the chair and co-chair for review. In order to approve the report before forwarding to the board, a special meeting was called for April 4th at 5:00 p.m. to review and vote on the report.

10. Meeting Dates
The next regular COC committee meeting date will be May 30th, 2006. (Additionally, the committee will meet briefly on April 4th, 2006, at 5:00 p.m. in AC108.

11. Information Items
None

12. Next Meeting Agenda
1. Review status of members
2. Report to committee any feedback from board at its April 25th meeting
3. Review second audit report 7/1 – 12/31/06 period
4. Review March 31 Quarterly Report
5. Review cumulative Budget update Report (Al Harrison)
6. Update of business office staffing progress
7. Review detailed expenditures for Harlan Roof Project

13. Adjourn 5:30 p.m.