C O L L E G E O F  
M A R I N

CITIZENS' OVERSIGHT COMMITTEE
MEETING AGENDA

April 8, 2008 – 4:00 to 5:30 p.m.
Kentfield Campus – Administrative Center, room 108

In compliance with the Americans with Disabilities Act, if you need special assistance to access the Citizens' Oversight Committee meeting or to otherwise participate at this meeting, including auxiliary aids or services, please contact Bob Balestrieri at 485-9414. Notification at least 24 hours prior to the meeting will enable the District to make reasonable arrangements to ensure accessibility to the Citizens' Oversight Committee meeting.

<table>
<thead>
<tr>
<th>TOPIC</th>
<th>DESCRIPTION</th>
<th>TIME</th>
<th>DISCUSSION / ACTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. OPEN MEETING</td>
<td>Call to Order, Roll Call and Approval of Agenda,</td>
<td>5 min.</td>
<td>Action</td>
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<tr>
<td>2. MEMBERSHIP</td>
<td>Welcome &amp; Discussion of Terms (Fran White)</td>
<td>5 min.</td>
<td>Discussion</td>
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<tr>
<td>3. COMMENTS</td>
<td>Comments from public on non-agenda items</td>
<td>3 min.</td>
<td>Action</td>
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<tr>
<td>4. MINUTES</td>
<td>Approval of Minutes of February 12, 2008 Meeting</td>
<td>3 min.</td>
<td>Action</td>
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<tr>
<td>5. QUARTERLY REPORT</td>
<td>a. Review Quarterly Report through 12/31 (Leigh Sata)</td>
<td>15 min.</td>
<td>Discussion</td>
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<tr>
<td>6. ANNUAL REPORT</td>
<td>Review of Citizen’s Oversight Committee Report to the Board of Trustees</td>
<td>15 min.</td>
<td>Action</td>
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<tr>
<td></td>
<td>(V-Anne Chernock)</td>
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<td>Please note: approval of the annual report to the board requires the</td>
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<td>positive vote of a majority of the committee members. If you</td>
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<td></td>
<td>can't attend the meeting, please contact Melinda Molloy</td>
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<td></td>
<td><a href="mailto:melinda.mollov@marin.edu">melinda.mollov@marin.edu</a></td>
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<td>7. MODERNIZATION SCHEDULE</td>
<td>Review and schedule of buildings to be modernized/replaced</td>
<td>15 min.</td>
<td>Discussion</td>
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<td></td>
<td>(V-Anne Chernock)</td>
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<tr>
<td>8. NEXT MEETING AGENDA &amp;</td>
<td>May 6, 2008 1:00 pm – 4:00p.m. - New Member Orientation</td>
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<tr>
<td>DATE</td>
<td>September 9, 2008 – 4:00p.m. – Regular Meeting</td>
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<td>12. ADJOURNMENT</td>
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<td>Action</td>
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Currently, Board agendas and minutes can be located at http://www.marin.edu/MeasureC/coc/index.htm
Citizens’ Oversight Committee
Minutes

February 12, 2008, 4:00 p.m.
Administrative Center, room 108
Kentfield Campus

DRAFT

Committee Members Present:
Dr. William Levinson,
Chair
Perry Newman, Co-Chair
Richard Biegel

Ted Bright
Klif Knoles
Nancy McCarthy
Nancy McCauley

Roberta Michels
Dr. Walter G. Strauss
Dr. Lawrence Witter

Committee Members Absent:
Joan Capurro
Elizabeth Greenberg

Others in Attendance:
V-Anne Chernock
Don Flowers
Rich Graziano
Al Harrison

Yulian Ligioso
Melinda Molloy
Dale Molyneux
Bob Thompson

Tina Treis
Dr. Frances White

1. Open Meeting
Following a roll call, Dr. William Levinson, Chair declared the meeting open at 4:01 p.m. The meeting began without a quorum; the agenda was not formally approved. The meeting of the Citizens’ Oversight Committee achieved quorum at 4:06 pm.

2. Membership
Dr. White brought to the attention of the committee that several committee members’ two year appointments will expire April 30, 2008. In accordance with the committee’s bylaws, these members are not eligible for reappointment, they must “sit out” one year and are eligible to reapply next year.

Community members wishing to apply for membership to the Citizens’ Oversight Committee must submit their application and letter(s) of recommendation to the Office of the Superintendent/President (835 College Ave. Kentfield, CA 94904), postmarked no later than Friday, March 28, 2008. Applications will be distributed through the Office of the Superintendent/President (415)485-9502 and can be obtained electronically by contacting Melinda Molloy, melinda.molloy@marin.edu.

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

4. Minutes
M/s (Bright/Biegel) to approve the minutes of the October 2, 2007 meeting. The motion passed unanimously.

5a. Quarterly Report
Mr. Rich Graziano of Swinerton Consulting & Management reviewed the Quarterly Report, through September 30, 2007. This report will be available on the website, along with a program summary and project budgets.

Mr. Graziano invited the committee to reference the project summary on pages 8-16 of the quarterly report. He noted that this information is a condensed and simplified version of what the charts on the pages following contain. Mr. Graziano directed the Committee’s attention to the following highlights:
- page 8: design updates
- page 11: 90-day forecast
- page 12-13: current activities includes bib opening on 2/19 for the Diamond P.E. complex; and bid opening on 2/21 for the Geothermal Field

Mr. Graziano addressed the following questions/concerns from the committee:
- **Have there been any problems experienced on any of the projects thus far?** One problem was encountered when bids were opened for the geothermal fields last month. It was discovered that each of the three firms that bid the project did not meet required specifications to bid the project and were subsequently disqualified. The district is currently re-bidding the contract and expects to award the contract at the end of February 2008.
- **What is being done to abate the noise at IVC once drilling begins?** Swinerton Management and Consulting has put together a 6 step plan to provide awareness to the neighboring community as well as abate the anticipated noise. Noise reduction will be primarily achieved through the placement of mufflers on drill rigs.
- **The invoicing for the quarter, at $1.8 million, seems low. Why?** The district is still, for the most part, in design phase meaning that contractors/architects are working based on previously set fees. As we progress into the next two quarters there will be a noticeable increase in invoicing.
- **Is inflation built into the bids?** Yes, it is common practice for firms to incorporate escalating fees into their bids. The District has also projected an 8% escalation rate for the life of the bond.

5b. General Update
V-Anne Chemock, Director of Modernization presented a general update on the Modernization department. This presentation highlighted the following:
- All programs and people in the P.E. building will move into portables on February 19, 2008 with the exception of the weight room, which will move on February 29, 2008;
- The entire P.E. Complex will be closed and fenced off on February 29, 2008 and will remain closed until June 2009;
- Bids for the P.E. complex will be opened at 2:00pm on February 19, 2008 and be formally awarded 5 days after the Board of Trustees approves the recommendation (2/19);
- Geothermal bids will be opened at 2:00pm pm February 19, 2008;
- P.E. Complex will publicly break ground on March 11, 2008;
- Drilling will be complete by the time school starts in August 2008;
- IVC infrastructure projects will be completed by summer 2008;
- Main IVC building will go to bid July 2008;
- Trans-tech building will go to bid summer 2008.
5c. Cash Flow and Phasing
Dale Molyneux of Swinerton Consulting & Management presented the committee with a handout describing our cash flow, projected escalation costs (8%), and actual escalation rate. He indicated that interest was not calculated in these figures. Currently the bond has generated 7 million dollars in interest. Vice President of College Operations, Al Harrison anticipates that we will make a second “pull” from the bond in late fall/early winter.

6. Auditors Report
Al Harrison, Vice President of College Operations, introduced Tina Treis of Perry-Smith Accountants, LLP. Ms. Treis reported on the independent audit on applying agreed-upon procedures that Perry-Smith Accountants, LLP was contracted to perform.

During this audit accountants at Perry-Smith Accountants, LLP selected a sample representative of 50 warrants issued from January 1, 2007 – June 30, 2007 to check for mathematical accuracy and proper representation of Bond expenditures. Ms. Treis reported that her firm has concluded that each of the representative sample of 50 expenditures accurately represented a valid Bond expenditure; expenses were properly charged in the location indicated; expenses were properly coded; and were determined to represent constructing, rehabilitation, or replacement of school facilities. They also determined that the expenditures were mathematically accurate. Ms. Treis indicated that their findings of 100% accuracy are not common across the work that they do. The Committee thanked Mr. Harrison and his team in the business office for their hard work in ensuring that our accounting is correct.

7. General Policy on Bond Investment
Mr. Harrison addressed the handouts included in the packet as a reference to Marin County Treasurer, Michael Smith’s policy on investment. He indicated that this statement of policy is reviewed and published annually. Committee members enquired why some schools were calculated separately. It appears that some schools have adopted an investment policy separate, with more risk, from that of the county treasurer. Mr. Harrison indicated that while our returns are slightly less than those of schools with other investment policies, he is confident in the investment strategy Mr. Smith is using.

8. Community Perception: what are you hearing in the community?
Dr. White has asked to collect a list of community concerns. Concerns that cannot be addressed today will be addressed by the corresponding manager and reported back to the Citizens’ Oversight Committee.

- Students are concerned that lab space will be smaller than they are currently
  Classrooms will be smaller than they currently are; however all classrooms are designed to meet educational standards. Also based on educational standards, some specialized classrooms will share space with other classrooms.

- There is a lot of negative press with a lot of “back and forth:” there is a persistent belief that the Marin IJ has a vendetta against College of Marin.

- Academic issues: why is money going to buildings when our academics are uncertain?

- Community members believe we have lost a significant amount of money because of time lapse and inflation
  To date we have only spent approx 10% of the bond money. It is true we lost some money because of delays due to updating the educational master plan. In addition there have been a lot of projects and planning going on behind the scenes that aren’t being seen by the public.

- Why are we building at IVC
We’re building at IVC because we are creating programs that are intentionally growing numbers at IVC. In 2004 when Dr. White arrived, IVC had 765 students enrolled, today there are more than 1,100 credit students taking classes on this campus.

- When will be put a bulletin out?
  College of Marin publishes a report to the community once a year. The next bulletin will be published and distributed in September/October.

9. Deferred Maintenance Plan
   Don Flowers, Supervisor of Maintenance and Operations, reported on the 5 year deferred maintenance plan. Current practice requires that the district submit a report with estimated costs for repairs and maintenance on an annual basis to the Chancellor’s office. The Chancellor’s office will supply funds for requested projects on a 50/50 match. Priorities are set based on safety/health hazards.

Committee members questioned how bond money and general fund money was divided among maintenance projects throughout the campuses. Mr. Flowers indicated that if the building is currently in the scope of the bond it will receive bond dollars. If the building is not within the scope general maintenance and operations funds will cover the up keep.

10. Report on Bolinas Lab
   Dr. White referenced the Bolinas Lab report that was submitted to the Board of Trustees in late 2007. She indicated that on page 2, item 3 there was an incorrect statement and that is that bond money does not allow for the $620,000 that was initially budgeted for the facility. Current estimated to rehabilitate the Bolinas Lab is $3-$5 million. The Board of Trustees have spoken to legal council and are exploring options for the lab including partnership; turning over the property the county; and private ventures. Dr. White indicated that the districts options are limited due to the Field Act.

10. Next Meeting Agenda & Date (4:00 p.m., Tuesday, April 8, 2008)
   b. Annual Report - Please note: approval of the annual report to the board requires the positive vote of a majority of the committee members. If you can’t attend the meeting, please contact Melinda Molloy melinda.molloy@marin.edu – V-Anne Chernock
   c. Building Demolition/renovation

   Orientation for new members and tour of IVC (1:00 p.m. – 4:00 p.m., Tuesday, May 6, 2008)
   All members are invited, but attendance is not mandatory

10. Adjourn 5:31 p.m.
A Draft of the Swinerton Management and Consulting Quarterly report ending December 31, 2007 will be handed out at the meeting on April, 8, 2008. This report will be approved at the regular meeting of the Board of Trustees on April 15, 2008.
MARIN COMMUNITY COLLEGE DISTRICT
MEASURE C BOND CITIZENS’ OVERSIGHT COMMITTEE

Annual Report

For The Period Ending June 30, 2007

Description of Measure C

On November 2, 2004, voters in Marin County approved Measure C which provided $249.5 million in funding to update, modernize, and retrofit the Marin Community College District serving County residents at the College of Marin Kentfield and Indian Valley Campuses.

Measure C Bond Citizens’ Oversight Committee

As provided in Education Code Section 15278, a Citizens’ Oversight Committee was formed by the Community College District’s Board of Trustees on February 8, 2005. The committee is composed of members that represent student government, the business community, a senior citizen organization, taxpayer association, college support organizations and the community at large. The role of the committee is to inform the public concerning the District’s expenditure of revenues received from the sale of bonds authorized by the voters in the November 2004 general election. In particular, the committee is providing oversight ensuring that:

1. Bond proceeds are expended only for construction, reconstruction, rehabilitation or replacement of College facilities in compliance with the projects listed in the Measure C ballot language; and that

2. No funds are used for teacher or administrator salaries or for other college operating expenses.

To carry out its role, the Citizens’ Oversight Committee may:

1. Receive and review copies of the annual independent performance audit conducted to ensure that the bond revenue has been expended only on the specific projects listed in the bond proposition;

2. Receive and review copies of the annual independent financial audit of the bond revenue;

3. Inspect college facilities and grounds to ensure that the bond revenue is expended in compliance with the requirements of paragraph (3) of subdivision (b) of Section 1 of Article XIII A of the California Constitution;

4. Receive and review copies of deferred maintenance proposals or plans developed by the district; and
5. Review efforts by the district to maximize bond revenues by implementing various cost saving measures.

At the end of this reporting period the Committee had six members whose terms expire in May 2008, one member whose term expires in August 2008, and six members whose terms expire in May 2009.

Meetings

Since its formation in February 2005 (to the end of this reporting period), the committee has met 10 (ten) times. Minutes of the meetings are posted on the District website and are available to the public. Locations of meetings are announced in advance through the publication of the individual agenda and posted on the District website. The committee meetings have been held at the Kentfield Campus.

During the reporting period (July 1, 2006 – June 30, 2007), the Citizens’ Oversight Committee met on three occasions (September 26, 2006; January 30, 2007; and April 10, 2007). In these meetings the committee appointed or re-appointed seven members to new terms and reviewed audit and quarterly reports through December 31, 2006. The committee also heard several reports from staff on the bond’s planning, design and construction activities.

Major Bond Activity July 1, 2006 – June 30, 2007

- Under the leadership of Director V-Anne Chernock, Swinerton Management & Consulting and Steinberg Architects completed the Goals, Principles and Guidelines document and Program Definition Document that serve as the “backbone” of the bond modernization program.

- In October 2006, the Board of Trustees approved a Bond Spending Plan that outlines how the program’s $264.5 million ($249.5 m bond plus projected $15 m interest) will be spent on seven major building projects, several smaller infrastructure projects, temporary “swing” space, and operating and management expenses. A revised Bond Spending Plan was approved by the Board in February 2007.

- In Fall 2006 the District hired three new architects, who joined two architects already under contract, launched programming and design for three new building projects, and continued design for three building projects already started in the previous year. By the end of this reporting period, programming was complete on all six projects, and design was well underway.

- In Fall 2006 the District convened a pair of community forums to inform the public of the program’s progress, and formed constituent user groups to gather ideas and preferences the design of each building project.
• In January 2007 Swinerton hired Rich Graziano as Program Manager to replace former Program Manager Dave Kirn, who resigned in November 2006.

• Throughout the year, planning and design continued on small infrastructure and swing space projects.

Audit Results

The accounting firm of Perry – Smith, LLP conducted a financial and performance review for the 2005-2006 fiscal year and another for the six-month period July 1 – December 31, 2006. In both cases the firm found that the bond fund financial statements present fairly the financial position and results of operations for the fund.

During the fiscal year audit, the accountants selected 50 randomly chosen expenditures from warrants issued from July 1, 1005 through June 30, 2006 to check for mathematical accuracy and proper representation of bond expenditures. Vice-President Harrison explained the five discrepancies noted in the findings, and the committee expressed both its concern over the discrepancies and its satisfaction that steps were being taken to prevent a re-occurrence.

During the six-month audit, the accountants selected a sample representative of the 169 warrants issued from July 1, 2006 – December 31, 2006 to check for mathematical accuracy and proper representation of Bond expenditures. The firm concluded that the representative sample of 50 expenditures accurately represented a valid Bond expenditure; expenses were properly charged in the location indicated; expenses were properly coded; and were determined to represent constructing, rehabilitation, or replacement of school facilities. They also determined that the expenditures were mathematically accurate.


Conclusion

The committee is pleased with the results of the District’s efforts on the Measure C bond program for the time period July 1, 2006 through June 30, 2007.

More detailed information about the College District’s bond projects, timelines, and expenditures-to-date are available on the District’s web page: www.marin.edu. From the first page, under “About the College” click on “Measure C Updates” and “Citizen’s Oversight Committee” where you will find minutes, agendas and reports considered by the Citizens’ Oversight Committee. Measure C Updates allows you to view the bond project lists and other bond-related information. If you still have questions or concerns, please contact the Citizens’ Oversight Committee c/o Melinda Molloy at 415-485-9508, e-mail Melinda.Molloy@marin.edu.

The College of Marin Citizens’ Oversight Committee invites community members to attend its meetings held at the College of Marin, Kentfield, CA 94904. All meetings are open to the public; meeting dates, locations and agendas are posted on the District web site.
Measure C Citizens’ Oversight Committee: (As of June 30, 2007)

Dr. William Levinson, Chair
(Co-chair vacant)

Members:

Richard Biegel
Ted Bright
Joan Capurro
Julie Grantz
Elizabeth Greenberg
Klif Knoles
Nancy McCarthy
Nancy McCauley
Perry Newman
Roberta Michels
Walter Strauss
Dr. Lawrence Witter
### Measure C Bond Modernization Program

<table>
<thead>
<tr>
<th>Building Projects</th>
<th>Cost</th>
<th>Schedule</th>
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<tbody>
<tr>
<td>Diamond PE Complex</td>
<td>$15.5 m</td>
<td>March 2008 - August 2009</td>
</tr>
<tr>
<td>IVC Main Building</td>
<td>$15.7 m</td>
<td>Summer 2008 - Fall 2009</td>
</tr>
<tr>
<td>TransTech Complex</td>
<td>$9.1 m</td>
<td>Summer 2008 - Summer 2009</td>
</tr>
<tr>
<td>Fine Arts Building</td>
<td>$12.6 m</td>
<td>Winter 2009 - Fall 2010</td>
</tr>
<tr>
<td>Science / Math / Central Plant</td>
<td>$55.2 m</td>
<td>April 2009 - January 2011</td>
</tr>
<tr>
<td>Performing Arts Building</td>
<td>$12.4 m</td>
<td>Fall 2010 - Spring 2012</td>
</tr>
<tr>
<td>Gateway Complex</td>
<td>$29.3 m</td>
<td>Summer 2011 - Winter 2013</td>
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### Infrastructure Projects Spring / Summer 2008

<table>
<thead>
<tr>
<th>Project</th>
<th>Location</th>
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<tr>
<td>Landscape buildings IVC</td>
<td>IVC campus</td>
</tr>
<tr>
<td>Bioretention basin IVC</td>
<td>IVC campus</td>
</tr>
<tr>
<td>Parking lots 1-3 IVC</td>
<td>IVC campus</td>
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<tr>
<td>Creek Erosion Mitigation IVC</td>
<td>IVC campus</td>
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<tr>
<td>Geothermal fields IVC/KTD</td>
<td>IVC campus</td>
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<td>12V and Fire Road IVC</td>
<td>IVC campus</td>
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### Other Initiatives

| Initiative                        | Project
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<tr>
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<tr>
<td>Relocation Planning</td>
<td>Project Stabilization Agreement</td>
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<tr>
<td>Contractor prequalification</td>
<td>Sustainability planning</td>
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Contact: V-Anna Chernock, Director of Modernization
415.445.9243    V.Anna.Chernock@marin.edu