

OHLONE COMMUNITY COLLEGE DISTRICT
Ohlone College
Fremont Campus, Room 1407
43600 Mission Boulevard, Fremont, CA 94539

Minutes of Citizens Oversight Committee
March 16, 2009

MEMBERS PRESENT: Lauren Baca, Karen Bridges, Shirley Buschke, Steven Chan, Bhaskar Chaudhari, Frank Pirrone, Andrew MacRae, Jack Rogers, Dennis Wolfe

MEMBERS ABSENT: Theodore Bresler, Rakesh Sharma

GUESTS: none

MANAGEMENT/STAFF PRESENT:
Gari Browning, President/Superintendent
Mike Calegari, Vice President, Administrative Services
Joanne Schultz, Dean of Business Services
Don Eichelberger, Bond Manager
Arti Damani, Bond Accountant
Lucky Lofton, Director of Facilities
Kelly Abad, Executive Assistant, Administrative Services

OPEN MEETING: The meeting was called to order by Steven Chan at 6:10 p.m.

COMMUNICATIONS FROM THE AUDIENCE: None

SCHEDULED ITEMS:

1. **Review and Approval of December 15, 2008 Minutes**
The minutes were approved.
Motion / Wolfe / **Seconded** / Rogers
2. **Approval of the Agenda**
The agenda was approved as presented.
Motion / MacRae / **Seconded** / Wolfe
3. **Committee Members' Attendance Report**
For information only. No comments from committee.
4. **Review of the Second Quarter Financial and Bond Report**
Joanne Schultz gave an overview of the Second Quarter Bond Report. She explained that Arti Damani puts this report together and reconciles with Don Eichelberger. Don Eichelberger commented that 94% of the Bond funds are committed. The close out of this bond needs to include a process of estimating early and often, using the purchasing process which gives good competitive bids. The District is very happy with the performance of Newark. Enrollment is meeting or exceeding expectations. There is a very high involvement with user groups for the Student Services Building.

Interest income has been received but not projected. No more funds are held with AIG. Currently, there are no state funds involved in our projects at the moment. The Below Grade Water Intrusion project was primarily funded by the state.

Question from committee: "Are we closed out at Newark?"

At this time, there have been no claims or financial risk, but the building needs DSA closeouts and the District hasn't gotten them yet. The bollards and Newark Monument sign still needs to be complete. Margaret Moe is still working on submitting the paperwork to DSA.

Question from committee: When is the oversight done for this Bond committee? When the final cost report is done and there are no open PO's for the project.

The group would like to see the projects graphically with end points.

5. Review of Performance Audit

Moody's rated Ohlone Community College's Measure A Bond as an A. Claims against the District would affect that rating.

Joanne discussed that the Performance Audit is a specific type of engagement that CPA's perform. It is an agreed upon procedures report reviewed by an external source. They looked at 53 different transactions, equaling 70% of all transactions within the Bond, and did more text work than a normal audit. Joanne also mentioned to the group that the District is booking certain salaries to the bond. These hours are all kept on timesheets, as the actual time spent working on the bond. The auditors found no instance of irregularity. No findings involved.

The role of the Bond Oversight Committee is to accept receipt of the performance audit report. The Independent Auditor's report on applying agreed-upon procedures was accepted.

Motion / Wolfe / **Seconded** / Rogers

The auditors looked at the bidding process to make sure all standards are being maintained. This report is the standard in the industry. The audit report is posted on the Bond Oversight Committee's website. The chair requested audit reports from other bond measures within the Bay 10 Community College District.

Motion / Wolfe / **Seconded** / MacRae

Committee members Dennis Wolfe and Andrew MacRae will review these reports and report back their findings.

6. Update on the Student Support Services Building Project and Misc. Bond Projects

Don Eichelberger gave an update on the Student Support Services building Project. At this time, there are no claims on the project and all final requests have been able to be negotiated. The expected date for "substantial completion" is mid-June. The committee will be able to have a tour of the building at the next meeting. A ribbon cutting will take place in the fall.

Lucky Lofton gave a presentation on the miscellaneous projects. He showed the committee the electrical infrastructure and mentioned the number of outages the college has experienced in the past. The electrical infrastructure was worked on during the winter break and is now better able to handle the everyday needs as well as once the Student Services Building comes online.

7. Committee Rules and Regulations

No comments.

8. **Review of Board Approved Citizens' Bond Oversight Bylaws**
Mike Calegari distributed the resolution passed by the Board of Trustees in February 2009 to approve the Citizens' Bond Oversight Bylaws. When the Bond Measure was passed in 2002, no bylaws were approved. He proceeded to read through all of the bylaws. A few items the group spoke about included:
- Act according to Prop 39 and the Brown Act
 - The committee's job is to inform the public.
 - Keep an updated website – staff will update website and present it to the committee at the next meeting.
 - Present an annual report – the committee has decided to present a graphical report rather than text based.
 - Prepare a report when all bond funds have been spent.
9. **Evaluation of Current Meeting**
Although there was a lot of information covered, the presenters went straight to the point. It was noted that the meeting place was hard to find and the campus signs were not helpful. The committee would also like to see the projects and their end points graphically.
10. **Topics for Next Meeting**
Tour of the Student Services Building
Third Quarter Financial and Bond Report
Newark Closeout
Citizen's Bond Oversight Committee Website update
2008-09 Annual Report Preparation

ADJOURNED: 7:37 p.m.