



**CHABOT-LAS POSITAS COMMUNITY COLLEGE DISTRICT  
CITIZENS' OVERSIGHT COMMITTEE**

Meeting Minutes No: 03

Location: District Office, Room 120

Recorded by: Barbara K. Tracey

Date: April 26, 2005

Persons Present:

<b>Committee Members</b>	<b>Term</b>	<b>Present</b>	<b>Not Present</b>
Mr. Kevin Baker, Business Community Representative	2 yrs.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ms. Suzanne Barba, Community Member Representative	1 yr.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mr. Dave Bouchard, Business Community Representative	2 yrs.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mr. Brian Foster, Community Member Representative	1 yr.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mr. Gordon Galvan, Chabot College Foundation Representative	2 yrs.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ms. Tonika Jones, Chabot College Student Government Representative	1 yr.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Mr. Byron Kamp, Community Member Representative	2 yrs.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mr. John Sailors, Senior Organization Representative	2 yrs.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mr. Charles Simonian, Senior Organization Representative	1 yr.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Mr. Jason Teramoto, Las Positas College Student Government Representative	2 yrs.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mr. Bob Tucknott, Taxpayers Association Representative	2 yrs.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>District/College Representatives</b>			
Dr. Joel Kinnamon, Acting Chancellor			
Mr. Roy V. Stutzman – Vice Chancellor of Business Services			
Mr. Stan Dobbs – Director of Facilities Planning & Management			
<b>Supporting Consultants</b>			
Mr. Michal Robinson, Program Director – DMJM Program Management			
Mr. Mark Nipper, Program Controls Manager and Deputy Director – DMJM Program Management			

1.0 CALL TO ORDER

Mr. Byron Kamp, Committee Chair, called the meeting to order at 6:37 P.M.

2.0 ROLL CALL

Call of the roll revealed eight Committee members present, with three members absent.

3.0 PUBLIC COMMENTS

No public comments were made.

#### 4.0 APPROVAL OF MINUTES OF JANUARY 25, 2005 MEETING

(Note: Though recorded herein in agenda order, the vote to approve the minutes of the January 25, 2005 meeting occurred out of numeric agenda sequence, being taken following consideration of agenda items 5.0, 5.1, 5.2, and 5.3.

1. Mr. Kamp asked if there were any corrections or additions to the minutes of the previous meeting.
2. There being no corrections, it was moved (Mr. Foster), seconded (Ms. Barba), and passed that the minutes be approved, with Mr. Galvan abstaining.

#### 5.0 REPORTS

Mr. Roy Stutzman, Vice Chancellor, Business Services

##### 5.1 Financial Report – Obligations & Expenses

Mr. Stutzman distributed the Obligations & Expenses report as of April 20, 2005. This included data more recent than that contained in the March 31, 2005 report that had been included in the meeting agenda packet.

Mr. Stutzman indicated he had obtained a legal counsel opinion in regard to Mr. Foster's question concerning loan payoffs. Mr. Foster suggested that it would be helpful to the Committee to receive a written legal opinion. In response to Mr. Galvan's request for clarification on which specific items pertained to loan payoffs, Mr. Stutzman itemized those applicable expenses: Bookstore/energy management systems (Item 2.1), co-generation plant (Item 2.2), and equipment (Item 4.2) at Chabot College; equipment (Item 15.2) and student center (Item 16) at Las Positas College; and equipment (Item 20.2) at the District. Mr. Kamp requested that written legal opinion on this issue be obtained and made available to the Committee at the July 2005 meeting.

Mr. Stutzman continued the review of the financial report, highlighting specific line items he thought may be of particular interest to the Committee. Several questions were posed by Committee members expressing concern about the appropriateness of expenditures utilizing bond funds, for the Multipurpose Room and Administrative Office Refurbishment (Building 200) at Chabot College. Ms. Barba questioned the proposed expenses for furnishings for the President's office. Mr. Galvan requested that the minutes of the meeting reflect exactly the concerns expressed by Committee members. Mr. Kamp asked the Committee for suggestions on how they felt the question might be resolved and whether they would prefer a legal interpretation.

Mr. Stutzman and Dr. Kinnamon responded to the Committee members' concerns. They cited the Chabot College Master Plan, which includes Central Services (Building 200) as one of the planned Bond projects. They explained that the administrative functions of the colleges are in support of the educational programs provided to the students. Further, the Multipurpose Room is utilized for a variety of campus and course functions and not reserved for use by the President's office and college administration. Ms. Barba stated that she felt the early timing of this might create the wrong perception.

Mr. Robinson added that the major renovation of the Central Services building was planned for late in the program schedule. The minor interim refurbishment was to make do in the meantime and should be considered as Phase I of that project. The furniture being purchased now would be a part of the fully refurbished building.

5.2 Program Management Quarterly Report, 1<sup>st</sup> Quarter, 2005  
Mr. Robinson, DMJM Management Program Director

Mr. Robinson presented an overview of the Program Management Quarterly Report for January through March 2005. He briefly highlighted some of the specific milestones of the period, including the solicitation for on-call consultants. He also reported the launch of the environmental documentation process which must be completed before major construction can begin. Mr. Robinson responded to several questions asked by Committee.

Mr. Dobbs responded to Ms. Barba's request for the definition of "green building strategies", mentioning specific examples of sustainable buildings, such as white roofs, energy efficient HVAC and window glazing, and water conservative landscaping and restrooms.

Mr. Kamp commented that he was very impressed with the quantity of work being performed each month on the Bond Program.

5.3 Report on Action from Board of Trustees Meeting – Bylaws

Mr. Stutzman reported that the Board of Trustees approved the proposed change to Section 11 (Termination) of the Measure B Citizens' Oversight Committee Bylaws at their February 22, 2005 meeting.

6.0 FINANCIAL/PERFORMANCE AUDIT UPDATE

Ms. Barba inquired how much money was budgeted for Committee operations. Mr. Stutzman replied that July will begin a new fiscal year and that the proposed Committee budget for the annual report in 2005-2006 would be provided at the July Committee meeting. (Note: At the July 26 meeting of the Committee, Mr. Stutzman provided clarification to the previous sentence: The annual report will be for 2004-2005, however the expenses to produce that report will be incurred and budgeted in the 2005-2006 year.)

Mr. Stutzman reviewed the District's Request for Proposal (RFP) process to contract with an auditing firm to perform the District's annual audit. The same firm would also be performing the annual Measure B Bond audit. He then announced that the Board of Trustees had selected the firm of Vavrinek, Trine, Day & Co., LLP (VTD) to perform the annual audits and introduced Ms. Terri Montgomery, a partner with the firm. Ms. Montgomery provided an overview of the services to be provided by VTD.

Ms. Montgomery distributed two example documents from San Mateo Community College District - a Financial Report and a Performance Report. Ms. Montgomery said that the reports to be provided to CLPCCD would be similar reports, each of which would meet the

requirements of the law. She said she would be happy to answer any questions Committee members might have concerning the audit or reporting process. Questions should be routed through the District.

Mr. Galvan inquired whether the District had executed a multi-year contract with VTD. Mr. Stutzman responded in the affirmative. Mr. Galvan then complimented the District on their efficiency in selecting and contracting with VTD.

Ms. Barba requested clarification on the statement from the San Mateo CCD report that the audit was not guaranteed 100%. Ms. Montgomery explained that their audits do not examine 100% of the expenditures. Instead, fair and representative samples are taken, crossing disciplines, to achieve a level of approximately 25% of expenditures. Information provided by the client is verified independently. Internal program controls are the first level of review. In response to Mr. Kamp's request that she review the process by which sample expenditures are selected, Ms. Montgomery outlined the process.

Mr. Foster inquired if the meeting was an appropriate time to discuss the Committee's specific areas of interest for information to be included in the audit report. Information provided in the basic contract for audit services was reviewed, and Ms. Montgomery stated that additional information could be provided at additional expense if directed by the District. Ms. Montgomery reiterated her request that the Committee provide any specific direction they might have for additional information they wished to have included for audit consideration.

Mr. Foster also inquired whether audit reports could include comparisons of actual expenses to budgeted expenses, updated from year to year. Mr. Stutzman stated that the program's cost control process has that capability and such information would be provided to the Committee.

## 7.0 ANNUAL REPORT (Appoint Subcommittee)

Mr. Kamp reminded the Committee of their previous discussion at the January 25, 2005 meeting of the annual reporting process and timeframe required for report submission to the Board of Trustees. He suggested that a subcommittee be named to develop a list of items to be included in the annual report and solicited volunteers as well as suggestions.

Ms. Barba stated that she thought the District would be creating a model annual report for the Committee to work from. Mr. Galvan commented that he thought a subcommittee was a good idea and requested that Mr. Kamp, as chairperson, appoint such a committee. Mr. Kamp volunteered himself to serve on the subcommittee and asked if there were other interested members; Mr. Teramoto responded in the affirmative. Mr. Kamp appointed himself and Mr. Teramoto to serve on the subcommittee and reviewed the timeline for submission of the annual report to the Board.

Mr. Galvan sought corroboration of his understanding that the purpose of the subcommittee was to determine the design, format and content of the annual report. Ms. Barba reiterated her preference that the Committee consider following the format developed by Rancho Santiago CCD due to its simplicity and keeping cost considerations in mind. Mr. Kamp proposed a target date of October 18, 2005, the date of the Board of Trustees meeting, and committed the subcommittee to developing a timeline for the audit and reporting process.

Mr. Stutzman suggested that the Committee consider the annual report/audit process when establishing their meeting calendar for the upcoming years.

#### 8.0 MEMBERSHIP APPOINTMENTS (1 Year Terms)

Mr. Kamp announced a vacancy on the Committee due to the ineligibility of Ms. Jones to continue to serve, as she is no longer registered at Chabot College. Ms. Jones' term of appointment began in July, 2004. Mr. Stutzman stated that the Board of Trustees was responsible for filling the vacancy created by Ms. Jones and would be requested to do so at a future meeting.

In addition, Mr. Kamp directed other 1-year term appointees to express their interest if they desire to continue their service on the Committee.

#### 9.0 BOND PROGRAM UPDATE

Mr. Dobbs reviewed the anticipated phases of work of the Bond Program. He mentioned that both colleges were nearing completion of their draft Master Plan updates and the final documents which would be presented to the Board of Trustees for approval as early as June. The next phase following planning is design, with major construction commencing Summer 2006. Following master plan approvals, the next phase will be design, followed by construction. Quarterly updates on the progress of this phase will be provided to the Committee.

Mr. Kamp informed the Committee that he had specifically requested Mr. Stutzman and Mr. Dobbs to address this topic and to review the upcoming processes of the Bond Program. He then asked the Committee if they felt that this type of information was of value to them. The Committee concurred with Mr. Kamp's suggestion that this remain an agenda item for each meeting.

#### 10.0 COMMITTEE MEMBER COMMENTS

Mr. Kamp asked for comments from members of the Committee. There being none, he reported on his recent campus tour of Las Positas College with President Halliday. Mr. Kamp said that the tour provided a valuable opportunity to view the benefits being derived from the Bond funding and that it was both exciting and enlightening.

#### 11.0 ADJOURN

Adjournment at 8:03 p.m. was moved (Mr. Baker.), seconded (Mr. Sailors), and passed unanimously.