

Independent Citizens' Bond Oversight Committee

Minutes of Regular Meeting

January 9, 2024
(Approved March 12, 2024)

I. Call to Order

The Independent Citizens' Bond Oversight Committee met in a regular meeting on Tuesday, January 9, 2024, in meeting room T200 at the Oceanside Campus. Chair Mazur, called the meeting to order at 2: p.m.

II. Roll Call

Committee members present:

Eleanor Evans
Bill Howe
Ellen Marciel
Josh Mazur
Brandon Quandt

Committee members not present:

Alec Babiarz
Michael Krival

Others present:

David Dunn
Ed Dajani
Tim Flood
Rick Alonso

III. Approve Meeting Minutes

A. Meeting of November 14, 2023

By motion of committee member Howe, seconded by committee member Marciel, the minutes of the meeting of November 14, 2023, were approved.

Vote: 3-0-0

Aye: Babiarz, Marciel, Quandt

Abstention: None

IV. Public Comment On and Not on the Agenda

None

V. Changes in Agenda Order

None

VI. San Diego County Taxpayers Association Bond Transparency Report Card

The San Diego County Taxpayers Association releases an annual Bond Transparency Report Card each November. MiraCosta College received an A+ on Measure MM, as measured by a 28-standard rubric. The A+ indicates that MCCD is fully transparent about its Measure MM bond program. The average score for all districts evaluated increased by 4 points since the prior year, from 82% to 86%. MCCD was one of 6 districts to receive a perfect score.

Evans commended the district again on the transparency and amount of information provided regarding bond expenditures.

VII. Measure MM Audit Report 2023

The Measure MM Final Audit Report 2023 was completed in December 2023 and was presented to the ICBOC. Rachel Green of Eide Bailly, provided committee members with an explanation of the report. The final audit will go to the board of trustees at the January board meeting.

Auditors found that the financial statements “presented fairly, in all material respects, the financial position of the General Obligation Bond Fund (Measure MM) of the District as of June 30, 2023”, the highest level of assurance that an auditor can provide. The auditors have no concerns over the district’s use of the funds and found the district expended General Obligation Bond Fund (Measure MM) funds only for the specific projects approved by the voters in accordance with Proposition 39.

Copies of the Measure MM Audit Report 2023 are available online:
<https://miracosta.edu/administrative/annual-district-audits>

Marciel – why did such a large sample size get reviewed? Large invoices, brings up sample size quickly. Reviewed over 20 invoices for a total of 78%. Not comfortable providing an opinion on a sample size of 5.

Flood thanked Kitchell staff, Facilities staff and Fiscal staff for all the work they do to ensure the district receives a clean audit year after year.

VIII. Advisory Committee Reports

A. Construction

The committee has not met since the last full ICBOC meeting.

B. Finance

The Finance Advisory Committee met on December 12, 2023. Babiarcz provided a written report. The committee had requested that the larger group receive the same single project drill down that they had received at the last advisory meeting.

Dunn walked the committee through a single change order from the OC5000 – Gymnasium project, explaining how a change order is processed and the backup materials that reviewed throughout the process. Change orders are reviewed for fair pricing and that changes are within contract requirements.

VIII. Staff Standing Reports

A. Status of Projects

There are currently 17 active projects and 22 completed projects, 3 projects not yet started, with \$373M in commitments and \$303M in expenditures as of October 2023.

Community Learning Center – Project Updates

Completed Projects

- Arby's Demolition
- New Monument Signage and Entryway Gateway
- New Student Services Building
- Buildings 100 + 200 Renovation

Active Projects

- Solar Project – In Design: \$1.5M. The project design is nearly complete with an early February anticipated DSA submission date.

San Elijo Campus – Project Updates

Completed Projects

- B600 Modernization
- B300 Modernization
- B500 Renovation
- B1100 New Student Services & Administration
- B200 Renovation
- Swing Space
- Central Campus Quad and Landscape
- B100 Renovation
- B400 Renovation
- B900 Renovation
- Underground Utilities

Active Projects

- Path of Travel Upgrade – Permitting: \$500K. This project has been designed and approved by DSA. The plan submission is being finalized for Coastal Commission review.
- Solar Project – Design: \$2M. Initial plans were reviewed and Construction Documents are being developed. CEQA required documents are being prepared. Coastal Commission Amendment is in process for submission.
- Miscellaneous Enhancements – Construction: \$1.3M. Approvals were received from Olivenhein Water District and the San Diego Health Department. This project is planned to be bid in the spring of 2024 with public advertisement posting in late January. Construction is slated to begin summer of 2024.

Oceanside Campus – Project Updates

Completed Projects

- North Storm Drain Repair
- Track and Field Support Renovation
- New North Campus Parking Lot 4C Ex – Phase 1
- New Parking Lot 5A
- Strong Workforce Development Lab/Trailer
- B1000 Administration Renovation (DSA Closeout)
- Building 2000 Theatre Lighting

Active Projects

- New KHAN Building and Gym Building – Construction: \$41.4M. Substantial completion was achieved in mid-December with furniture moves through end of December. Users are now utilizing the spaces. Demo of the existing Gym & KHAN buildings has started which is Phase 3 of the overall project.
- New Allied Health Building – DSA Closeout: \$29.8M. Substantial completion was achieved in mid-December with furniture moves through end of December. Coordinating setup of technology systems so it will be ready for use beginning in the Summer of 2024.
- New Student Services Building – Construction: \$62.1M. Installing metal panels at the breezeway, continuing to install finishes in the building and completing site work around the project. Occupancy is being planned for Summer of 2024.
- New Chemistry & Biotechnology Building – Construction: \$46.9M. Installing finishes within the building and exterior color coat is complete. Windows install set to begin later this month. Fire Lane subgrade and first layer of asphalt is complete.
- OC New Arts and Media Building – Construction: \$25.9M. Concrete slab has been poured and structural steel is being erected with anticipated topping out in January.
- OC1200 Library Renovation – Construction: \$32.5M. Exterior painting, signage, and the architectural fins are installed. Interior finishes are nearly complete with punchlist work happening currently. The building is planned for a phased move in during Spring and Summer of 2024.
- OC3000 Series Renovation – Design: \$69.3M. The project is continuing in the Construction Document phase of design and the focus is on technical detailing. Design meetings continue when needed to support this work.
- Wayfinding and Signage – Design: \$4.3M. Estimates are being put together for implementing the different elements of the signage plan. This will inform what scope will be possible.
- Solar Project – Design: \$16M.
- OC4500 Science Renovation – Procurement: \$35.5M.
- Campus Wide-ADA and Utility – Ongoing: \$2.5M
- Swing Space – Ongoing: \$9M

Upcoming Projects

- Security Camera Project: \$700K
- Renovation for Professional Development: \$3.8M
- Stair Removal and Bridge Repair: \$1.5M

Pedestrian Bridge Accident – On Wednesday, November 22, 2023, the pedestrian bridge connecting the athletics complex and the central campus was hit by a passing delivery vehicle. The resulting damage required the removal of the bridge and installation of temporary stairs. The

bridge provides the only safe ADA access from Lot 5A to the center of campus, so it will need to be replaced. The damage and replacement will be covered through the contractor's insurance, but will likely take a significant amount of time to be replaced.

Campus Electrical Loop Upgrade – In late fall 2023, the Oceanside campus experienced a series of electricity outages across the campus. Both electrical loops were replaced to mitigate future issues. Two replacement sections were worked into existing projects (Media Arts and Gym/Allied Health), while the rest were completed through a separate contractor to ensure all the work was completed during the winter break.

B. Status of Contracts Let

- Design-Build Request for Qualifications/Proposals (RFQ/Ps)
 - 4500 Building is currently in the Proposal Phase. There are (4) shortlisted firms that have submitted proposals. Final presentations are scheduled for 1/10/24.
- Hard Bod Procurement
 - SAN Misc. Enhancements project is planned to be bid in the spring of 2024 with public advertisement posting planned for January.
- Consultant Procurement
 - RFP responses for Inspector of Record and Geotechnical pools have been received and are currently being evaluated. This will create a new pool of firms to draw from for these services moving forward since the original pools have expired.

C. Status of Finance (Cost to Date)

The committee reviewed the budget executive summary through October 2023.

Four projects originally planned to be paid for by district Scheduled Maintenance funds will instead be paid for using Measure MM funds and district funds. State Scheduled Maintenance dollars originally allocated for FY23 were pulled back by the state.

- CLC Solar Project
- SAN-Misc Enhancements Project – District and Measure MM funds
- SAN-Solar Project - augmented using district funds.
- OC-Theatre Lighting –District and \$10K from Measure MM transferred from 4117 Misc. Enhancements Project.

A new column was added to the report to show funding from the recently approved Certificate of Participation. This funding does not fall under the purview of the ICBOC but impacts some projects that are also funded with Measure MM funds.

- OC Wayfinding and Signage
- OC Reno Bldg 4500

- o OC Solar Project

IX. Items for Future Agendas
None

X. Adjournment
Chairperson Mazur adjourned the meeting at 3:10 pm.

Minutes Approval:

Josh Mazur
Committee Chair

December 2023 Finance Meeting Report

Review of Budget Changes:

- Four projects were originally planned to be paid by by Scheduled Maintenance. The state pulled back funding, so the following projects will be paid for using MM funds and/or district funds.
 - CLC Solar Project
 - SAN-Misc Enhancements Project – District and Measure MM funds
 - SAN-Solar Project - augmented using district funds.
 - OC-Theatre Lighting –District and \$10K from Measure MM transferred from 4117 Misc. Enhancements Project.
- Certificate of Participation funding source (a column was added to spreadsheet to track)
 - OC Wayfinding and Signage,
 - OC Reno Bldg 4500
 - OC Solar Project

NOTE: Certificates of participation (“COPs”) can be utilized by California school and community college districts as an alternative financing option to general obligation bonds. COP proceeds can be used to construct or acquire real or personal property.

Review of New Contracts:

- Construction and Design Build Contracts - \$0
- Construction and Design Build Change Orders ~ \$662K
- Miscellaneous Professional Service Agreements ~ \$110K

Review of Change Order Process in the Budget

Dunn reviewed the process projects go through for Change Orders. Contractors will submit Change Order Requests to Kitchell, which is then reviewed at several levels for fair and reasonable pricing. Change Orders are tracked for each project and the overall budget is provided to the ICBOC.

Any remaining funds at project close that were not used, go back to Contingency or are reassigned to other approved Measure MM projects.

Babiarz recommended the overview be brought to the entire committee at the January meeting.