

**GAVILAN JOINT COMMUNITY  
COLLEGE DISTRICT**

**MEASURE E GENERAL OBLIGATION BONDS  
AGREED-UPON PROCEDURES REPORT**

**JUNE 30, 2009**



**INDEPENDENT ACCOUNTANTS' REPORT ON  
APPLYING AGREED-UPON PROCEDURES**

Gavilan Joint Community College District  
Gilroy, California

We have performed the agreed-upon procedures, which were agreed to by the management of the Gavilan Joint Community College District, to review at least 25 percent of the total expenditures of 2004 Measure E General Obligation Bond funds for the period of July 1, 2008 to June 30, 2009, for the purpose of verifying if the use of the funds is within the scope of the published materials specifying the intended use of bond funds. We used election documents, District resolutions, and the project priority list as the guidance for the intended use of the funds. For any expenditures in question, we will recommend that the District obtain the opinion of legal counsel and we will inform the District as to the issues. Management is responsible for Gavilan Joint Community College District's compliance with election documents, district resolutions, and the project priority list. This engagement to perform agreed-upon procedures was performed in accordance with attestation standards established by the American Institute of Certified Public Accountants and meets the compliance requirements to perform an "audit" as outlined in Subparagraph (C) of paragraph (3) of subdivision (b) of section 1 of Article XIII A of the California Constitution which was enacted as a result of Proposition 39. The sufficiency of these procedures is solely the responsibility of those specified parties in this report. Consequently, we make no representation regarding the sufficiency of the procedures described below either for the purpose for which this report has been requested or for any other purpose.

**Financial Summary**

1. The general obligation bond funds were authorized at an election of the registered voters of the District held on March 2, 2004. The bonds were authorized at an issuance of \$108,000,000 principal amount for the purpose of constructing and modernization of school facilities and to refund certain lease obligations of the College. The first and second series of the bonds were issued in 2004 and sold in the amounts of \$29,170,000 and \$830,000. The third series of the bonds were issued in 2007 and sold in the amount of \$50,000,000. After providing for the required repayment reserves, payment of issuance costs, and funding the refunding bond escrow accounts, the net proceeds available for construction were \$76,828,166.
2. Total expenditures and contract commitments from July 1, 2008 through June 30, 2009, were \$38,075,473.
3. An analysis of expenditures is as follows:

EXPENDITURES FOR THE FISCAL YEAR 2009:

Classified salaries	\$ 42,724
Employee benefits	18,404
Books and supplies	15,151
Services and operating expenditures	9,624,989
Capital outlay	28,374,205
Total Expenditures	<u>\$ 38,075,473</u>

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4. Available unspent funds from the first and second bond series as of June 30, 2009 were:

General obligation bond proceeds, Series A	\$ 29,170,000
General obligation bond proceeds, Series B	830,000
General obligation bond proceeds, Series C	50,000,000
Bond premiums (Series A & B)	728,130
Transfer from other funds	467,138
Transfer to refunding bond escrow accounts	(3,625,796)
Required deposit to bond sinking fund	(202,485)
Bond issuance costs	<u>(538,821)</u>
Total bond financing sources and uses	76,828,166
Cumulative interest earned (net fair market value adjustment)	4,490,617
Cumulative State and local revenues	588,067
Less cumulative expenditures and commitments	<u>(70,650,198)</u>
Amount available	<u><u>\$ 11,256,652</u></u>

**Agreed Upon Procedures Performed**

1. Verify that the expenditure of funds was accounted for separately in the accounting records to allow for accountability.
2. Select at least 25 percent of the expenditures and verify that the funds expended complied with the purpose that was specified to the registered voters of the District through election materials, district resolutions, and the project priority list that were distributed to the voters.
3. Select a sample of any payroll and/or benefit costs charged to the fund and ensure none were related to administrators' salaries as specifically disallowed in the bond language.
4. Verify that District's internal control procedures are operating according to District policies.
5. Verify that the State and District policies were followed in the awarding of bids and expenditure of the funds.

**Results of Procedures**

1. The general obligation bond fund expenditures were accounted for separately in the Bond Construction Fund (Fund 60) of the District.
2. Our review of the expenditures for the year ended June 30, 2009, did not reveal any items that were paid from the general obligation bond funds that did not comply with the purpose of the Bonds that were approved by the registered voters of the District on March 2, 2004. We did not request that management of the District obtain any legal opinions on expenditures for the year ended June 30, 2009. See supplemental information for list of expenditures reviewed.

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3. The payroll and benefit charges were not related to administrators' salaries but rather allowable internal specific project oversight costs.
4. Our review of the internal control procedures followed on selected invoices revealed no exceptions to the internal control policies of the District.
5. Our review of the awarding of contracts and the disbursement of funds revealed no exceptions to the policies of the State and the District.

We were not engaged to and did not conduct an examination, the objective of which would be the expression of an opinion on compliance. Accordingly, we do not express such an opinion. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you.

This report is intended solely for the information and use of the Gavilan Joint Community College District and is not intended to be and should not be used by anyone other than those specified parties.

*Vannink, Trine, Day & Co, LLP*

Fresno, California  
December 17, 2009

**GAVILAN JOINT COMMUNITY COLLEGE DISTRICT**

**BOND CONSTRUCTION FUND  
EXPENDITURE TESTING  
FOR THE YEAR ENDED JUNE 30, 2009**

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Vendor	Purpose	Amount
Bfgc Architects	Theater/Water System	\$ 194,730
Kitchell Cem	Bond Program management	25,425
Lozano Smith	Coyote Valley property acquisition	14,293
David J. Powers & Assoc.	Coyote Valley property acquisition	29,477
Public Private Ventures	Coyote Valley property acquisition	209,000
First American Title	Coyote Valley property acquisition	19,200,000
Lozano Smith	San Benito County property acquisition	16,762
David J. Powers & Assoc.	San Benito County property acquisition	42,799
Public Private Ventures	San Benito County property acquisition	19,189
First American Title	San Benito County property acquisition	500,000
First American Title	San Benito County property acquisition	7,751,107
Miller Construction	Trio offices wall	14,000
Nor-Cal	Temporary fencing	420
Baldo, Salcido	Hardware/cabling for portables	14,954
Tombleson, Inc	Science building modernization	327,504
Tombleson, Inc	Science building modernization	167,393
Meadows Construction	Occupational Education Building Modernization	289,886
Verizon California	Relocating fiber optic cabling	34,332
DMC Construction	Art & Music buildings	386,497
DMC Construction	Art & Music buildings	421,586
B&H Photo-Video	Digital printers	24,051
Bfgc Architects	Construction Services	91,128
ICC General Contractors	Maintenance/security modernization	95,850
Palace Art and Office Supplies	Conference table	211
Trincherro Construction	Phase II site improvements	689,150
3CBG Conference	Conference regarding new "Banner" accounting system	225
Apple Computer, Inc.	4 computers	7,576
Omnipro	45 computers with monitors	40,499
	Total tested:	<u>\$ 30,608,044</u>
	Total expended (7/1/08-6/30/09):	<u>\$ 38,075,473</u>
	Percent tested	<u>80%</u>