
INDEPENDENT CITIZEN'S BOND OVERSIGHT COMMITTEE

FINAL REPORT

RELATED TO MEASURE P



I. INTRODUCTION

The City of Foster City voters passed Measure P on the June 5, 2018 ballot, which authorizes the City to issue \$90,000,000 aggregate principal amount of general obligation bonds to fund improvements to the City's Levee system. As a result of Measure P, the City has issued \$90,000,000 in bonds to date. The Levee improvements will allow Foster City to maintain FEMA accreditation and also protect essential city services during storms or earthquake damage. The Measure P Election was conducted under California Government Code Section 53411. Pursuant to Section 2 of the City Resolution No. 2018-15 of the City Council of the City of Foster City, the City is obligated to establish a citizens' oversight committee to review all expenditures of the bond proceeds. Section 2, Fiscal Accountability, reads as follows:

The expenditure of bond proceeds to construct the levee system improvements will be subject to strict financial accountability requirements, including review of all expenditures of bond proceeds by a citizens' oversight committee, and annual reports pursuant to Government Code Section 53411. The citizens' oversight committee, composed of citizens appointed by the City Council, will ensure the bond proceeds are spent for their authorized purposes, and meet at least two times per calendar year and will submit at minimum two times a year a written report to the City Council and the public on the bond expenditures.

At the December 16, 2019 City Council meeting, the City Council of the City of Foster City established the Independent Citizens' Bond Oversight Committee and Bylaws were adopted. The Bylaws specify the Committee's purview within Section 3. Duties and Section 4. Authorized Activities, respectively as follows:

3.1 Inform the Public. The Committee shall inform the public concerning the City's expenditure of bond proceeds. In fulfilling this duty, all official communications to either the City Council or the public shall come from the Chair acting on behalf of the Committee. The Chair shall only release information that reflects the majority view of the Committee.

3.2 Review Expenditures. The Committee shall review expenditure reports produced by the City to ensure that bond proceeds were expended only for the purposes set forth in Measure P.

3.3 Bi-Annual Reports. The Committee may, from time to time and on an as-needed basis, submit written reports to the City Council, which the Council shall review in public session. Additionally, the Committee shall present to the City Council, in public session, at least two written reports annually, which shall include the following:

- a) A statement indicating whether the City is in compliance with the requirements of Measure P; and*
- b) A summary of the Committee's proceedings and activities since its last report to the Council.*

4.1 In order to perform the duties set forth in Section 3, the Committee may engage in the following authorized activities:

- a) Receive copies of the City's annual independent performance audit and annual independent financial audit ("Audits") at the same time Audits are submitted to the City and review the Audits.*
- b) Inspect City facilities and property where bond proceeds have been or will be expended, in accordance with any access procedure established by the City's Public Works Director or designee.*
- c) Review efforts by the City to maximize bond proceeds by implementing various cost-saving measures, as applicable.*

II. CURRENT MEMBERSHIP OF THE INDEPENDENT CITIZEN'S OVERSIGHT COMMITTEE

Ken Ludlum, Chairperson
Al DeGroot, Vice-Chairperson
Bhavanishankar Subramaniam, Member

III. SUMMARY OF PROCEEDINGS AND ACTIVITIES

The Independent Citizens' Bond Oversight Committee has met quarterly to review and discuss information pertaining to the Levee Project expenditures. Below is a summary of

the Committee’s proceedings and activities since the last annual report approved at the July 27, 2023 Committee meeting.

Meeting Date	Summary
October 26, 2023	Review and discussion of the First Quarterly Report and Expenditures for FY 2023/2024
January 25, 2024	Review and discussion of the Second Quarterly Report and Expenditures for FY 2023/2024.
April 25, 2024	Review and discussion of the Third Quarterly Report and Expenditures for FY 2023/2024. Approved the Final Report to City Council.

Each meeting has been conducted in compliance with the Brown Act. The meetings have been open to the public and formally scheduled with agendas duly posted and noticed. Meeting minutes have been taken, approved and posted on the City’s webpage. In addition, individual committee members have taken the opportunity to visit the project site to view progress.

IV. STATEMENT OF COMPLIANCE

The members of the Bond Oversight Committee have reviewed the expenditure reports produced by the City for the 2023-2024 fiscal year through the third Quarter of 2024. The Bond Oversight Committee finds that the expenditures are in compliance with the requirements of Measure P. This Report does reflect the final accounting of the expenditure of all the Bond proceeds. In accordance with Section 10 of the Independent Citizens’ Bond Oversight Committee Bylaws, the Bond Oversight Committee will automatically terminate and disband concurrently with the Committee’s submission of its final Report which reflects the final accounting of the expenditure of all Bond proceeds.