

LOS RIOS COMMUNITY COLLEGE DISTRICT

CITIZENS' BOND OVERSIGHT COMMITTEE BYLAWS

Section 1. Committee Established. Los Rios Community College District (the "District") was successful at the election conducted on March 5, 2002, in obtaining authorization from the District's voters to issue up to \$265,000,000 aggregate principal amount of the District's general obligation bonds, pursuant to a 55% vote (Measure A). In addition, the District was successful at the election conducted November 4, 2008, in obtaining authorization from the voters to issue up to an additional \$475,000,000 aggregate principal amount of the District's general obligation bonds pursuant to a 55% vote (Measure M). The election was conducted under Proposition 39, being chaptered as the Strict Accountability in Local School Construction Bonds Act of 2000, at Section 15264 *et seq.* of the Education Code of the State ("Prop. 39".) Pursuant to Section 15278 of the Education Code, the District established the Citizens' Bond Oversight Committee (the "Committee") in order to satisfy the accountability requirements of Prop. 39 for Measure A. The District is also required to establish a committee for Measure M. The Board of Trustees of the Los Rios Community College District (the "Board") hereby reconfirms the establishment of the Committee for Measure A and establishes the same committee for Measure M, which shall have the duties and rights set forth in these Bylaws.

Section 2. Purposes. The purposes of the Committee are set forth in Prop. 39, and these Bylaws are specifically made subject to the applicable provisions of Prop. 39 as to the duties and rights of the Committee. The Committee shall be deemed to be subject to the Ralph M. Brown Public Meetings Act of the State of California and shall conduct its meetings in accordance with the provisions thereof. The District shall provide necessary administrative support to the Committee as shall be consistent with the Committee's purposes, set forth in Prop. 39.

The proceeds of general obligation bonds issued pursuant to the Election are hereinafter referred to as "bond proceeds."

Section 3. Duties. To carry out its stated purposes, the Committee shall perform the following duties:

3.1 Review Expenditures. The Committee shall review expenditure reports produced by the District to ensure that (a) bond proceeds are expended only for the purposes set forth in the ballot measure; (b) no bond proceeds are used for any teacher or administrative salaries or other operating expenses.

3.2. Annual Report. The Committee shall present to the Board, in public session, an annual written report which shall include the following:

(a) A statement indicating whether the District is in compliance with the requirements of Article XIII A, Section 1(b)(3) of the California Constitution; and

(b) A summary of the Committee's proceedings and activities for the preceding year.

Section 4. Authorized Activities.

- 4.1** In order to perform the duties set forth in Section 3.0, the Committee may engage in the following authorized activities:
- (a) Receive and review copies of the District's annual independent performance audit and annual independent financial audit, required by Article XIII A of the California Constitution.
 - (b) Inspect some of the facilities and grounds for which bond proceeds have been or will be expended, in accordance with any access procedure established by the District's Director of Facilities.
 - (c) Review copies of scheduled maintenance and scheduled repairs proposals or plans developed by the District.
- 4.2** Make requests for copies or inspection of District records in writing to the Vice Chancellor of Finance & Administration.

Section 5. Membership.

5.1 Number.

The Committee shall consist of a minimum of seven (7) members appointed by the Board of Trustees from a list of candidates submitting written applications and based on criteria established by Prop. 39, to wit:

One (1) student enrolled and active in a community college support group.

One (1) member active in the local business community.

One (1) member active in a senior citizen's organization.

One (1) member active in a bona-fide taxpayers association.

One (1) member active in a support organization for the college.

Two (2) members of the community at large appointed by the Board.

The Los Rios Board of Trustees may elect to appoint more than seven (7) members.

5.2 Qualification Standards.

- (a) To be a qualified person, he or she must be at least 18 years of age and reside within the District's geographic boundary, in accordance with Government Code Section 1020.
- (b) The Committee may not include any employee, official of the District or any vendor, contractor or consultant of the District.

- 5.3 **Ethics; Conflicts of Interest.** By accepting appointment to the Committee, each member agrees to comply with the ethics provisions contained in Government Code sections 1090-1099 and 1125-1129. Additionally, each member shall comply with the Committee Ethics Policy attached as Attachment A to the Bylaws.
- 5.4 **Term.** Each member shall serve a term of two (2) years. No member may serve more than three (3) consecutive terms. Upon the expiration of his or her term, each member shall remain in office until his or her replacement is named and sworn in to office.
- 5.5 **Removal; Vacancy.** The Board may remove any Committee member for cause, including failure to attend three consecutive Committee meetings or for failure to comply with the Committee Ethics Policy. Upon a member's removal, his or her seat shall be declared vacant. The Board, in accordance with the established appointment process shall fill any vacancies on the Committee.
- 5.6 **Compensation.** The Committee members shall not be compensated for their services.

Section 6. **Meetings of the Committee.**

- 6.1 **Regular Meetings.** The Committee is required to meet at least once a year including an annual organizational meeting to be held in July. The Committee's regular meetings shall be held at 12:00 p.m. on the third Thursday in July, the first Thursday in December, and the third Thursday in March.
- 6.2. **Location.** Meetings shall be held at 1919 Spanos Court, Sacramento, California or at one of the Colleges or other locations where the District regularly conducts business. The actual meeting locations for the following December, March, and July, shall be set at the July organizational meeting. Where meetings are held at a location other than 1919 Spanos Court, each member shall be provided notice of the meeting location at least 72 hours before the meeting time.
- 6.3 **Procedures.** All meetings shall be open to the public in accordance with the Ralph M. Brown Act, Government Code Section 54950 *et seq.* Meetings shall be conducted according to such additional procedural rules as the Committee may adopt. A majority of the number of Committee members shall constitute a quorum for the transaction of any business except adjournment.
- 6.4 **Special Meetings.**
- (a) Meetings may be called by the Chairperson of the Committee or by four (4) members of the Committee or by the Deputy Chancellor when approved by the Chairperson of the Committee.
 - (b) Notice of such meeting, including time and place and business to be transacted, shall be delivered to each Committee member and to the news media requesting a notice in writing, personally or by mail, and shall be received at least twenty-four (24) hours before the time of such meeting.

- (c) Waivers may be signed by all Committee members in lieu of such notice.
- (d) No business may be transacted in such meetings other than that specified in the notice.

Section 7. District Support.

7.1 The District shall provide to the Committee necessary technical and administrative assistance as follows:

- (a) preparation of and posting of public notices as required by the Brown Act, ensuring that all notices to the public are provided in the same manner as notices regarding meetings of the District Board;
- (b) provision of a meeting room, including any necessary audio/visual equipment;
- (c) preparation and copies of any documentary meeting materials, such as agendas and reports; and
- (d) retention of all Committee records, and providing public access to such records on an Internet Web site maintained by the District Board.
- (e) provide information requested by the Committee through its chair.

7.2 District staff shall attend all Committee proceedings in order to report on the status of projects, the expenditures of bond proceeds and other related matters.

Section 8. Reports. In addition to the Annual Report required in Section 3.2, the Committee shall report minutes of its regular meeting to the Board of Trustees and post its minutes on the District web site.

Section 9. Officers. The Committee shall elect a chair and a vice-chair who shall act as chair only when the chair is absent, which positions shall continue for two (2) year terms. No person shall serve as chair for more than two (2) consecutive terms.

Section 10. Amendment of Bylaws. Any amendment to these Bylaws shall be approved by a two-thirds vote of the entire Board.

Section 11. Termination. The Committee shall automatically terminate and disband at the earlier of the date when (a) all bond proceeds are spent, or (b) all projects funded by bond proceeds are completed.

CITIZENS' BOND OVERSIGHT COMMITTEE ETHICS POLICY STATEMENT

This Ethics Policy Statement provides general guidelines for Committee members to follow carrying out their roles. Not all ethical issues that Committee members face are covered in this Statement. However, this Statement captures some of the critical areas that help define ethical and professional conduct for Committee members. The provisions of this Statement were developed from existing laws, rules, policies and procedures, as well as from concepts that define generally accepted good business practices. Committee members are expected to strictly adhere to the provisions of this Ethics Policy.

POLICY

- **CONFLICT OF INTEREST.** A Committee member shall not make or influence a District decision related to: (1) any contract funded by bond proceeds or (2) any construction project which will benefit the Committee member's outside employment, business, or personal finances or benefit an immediate family member, such as a spouse, child or parent.

- **OUTSIDE EMPLOYMENT.** A Committee member shall not use his or her authority over a particular matter to negotiate future employment with any person or organization that relates to: (1) any contract funded by bond proceeds, or (2) any construction project. A Committee member shall not make or influence a District decision related to any construction project involving the interest of a person with whom the member has an agreement concerning current or future employment, or remuneration of any kind. For a period of two (2) years after leaving the Committee, a former Committee member may not represent any person or organization for compensation in connection with any matter pending before the District that, as a Committee member, he or she participated in personally and substantially. Specifically, for a period of two (2) years after leaving the Committee, a former Committee member and the companies and businesses for which the member works shall be prohibited from contracting with the District with respect to: (1) bidding on projects funded by the bond proceeds; and (2) and construction project.

- **COMMITMENT TO UPHOLD LAW.** A Committee member shall uphold the federal and California Constitutions, the laws and regulations of the United States and the State of California (particularly the Education Code) and all other applicable government entities, and the policies, procedures, rules and regulations of the Los Rios Community College District.

- **COMMITMENT TO DISTRICT.** A Committee member shall place the interest of the District above any personal or business interest of the member.