



## **CITIZENS' BOND OVERSIGHT COMMITTEE BYLAWS (AMENDED August 7, 2013)**

### **Acknowledgment of Establishment of Committee and Appointment Powers of the District; Amendment of Bylaws by Committee**

The West Kern Community College District (the "District") previously established a citizens' oversight committee, under the name of "Citizens' Bond Oversight Committee" ("Committee"), pursuant to Ed. Code section 15278 for \$39,800,000 in general obligation bonds passed on March 2, 2004 (the "Bonds"). The District Board of Trustees ("Board"), besides establishing the Committee, has exercised its authority to appoint members to the Committee. The Committee, pursuant to 15278, performs its duties as an "independent citizens' oversight committee" and has the authority to adopt its own bylaws in order to carry out the Committee's statutory obligations under 15278.

Accordingly, the Committee amends and adopts its bylaws, pursuant to Section 5 below, as follows:

**Section 1. Purpose.** Pursuant to Education Code section 15278(b), the primary purpose of the Committee shall be to inform and advise the public and the District concerning the expenditure of Bond revenues pursuant to the Bond Measure.

**Section 2. Duties.** Pursuant to section 15278(b), the Committee shall review and report on the proper expenditure of taxpayers' money for school construction. The Committee shall advise the public as to whether the District is in compliance with the requirements of paragraph (3) of subdivision (b) of Section 1 of Article XIII A of the California Constitution.

### **Section 3. Meetings of the Committee.**

**Section 3.1. Meetings Open to the Public and Public Notice.** Pursuant to section 15280(b), all Committee proceedings shall be open to the public. Notices to the public shall be provided pursuant to the notice requirements of the Ralph M. Brown Act (Gov. Code 54950 et seq., including 54954.2 and 54956).

**Section 3.2. Agenda Preparation.** Preparation of the meeting agendas will be in compliance with the Brown Act. All agenda items shall be within the subject matter jurisdiction of the Committee pursuant to section 15278.

**Section 3.3. Meeting Schedule.** The Committee shall establish its meeting schedule. It is recommended that the Committee generally meet on a quarterly basis.

**Section 3.4. Quorum.** A quorum shall consist of a majority of the members of the Committee.

**Section 3.5. Meeting Procedure.** Meetings shall be conducted pursuant to Robert's Rules of Order.

**Section 3.6. Location.** All meetings shall be held at Taft College Cougar Room, 29 Emmons Park Drive, Taft, California, or such other site within the District agreed upon by the Committee without cost to the District.

**Section 3.7. Reports and Minutes.** The Committee shall issue regular reports on the results of its activities. A report shall be issued at least once a year from the establishment of the Committee. Minutes of the proceedings of the Committee and all documents received and reports issued shall be a matter of public record and shall be made available on an Internet website maintained by the District.

**Section 3.8. Removal of Members; Vacancy.** The Board, upon recommendation of the Superintendent/President, may remove any Committee member for cause, including failure to attend three consecutive Committee meetings without just cause or for failure to comply with the Committee Ethics Policy described in Attachment A. A member shall no longer serve and shall be automatically disqualified pursuant to Education Code section 15282(b) if the member becomes an employee or official of the District or becomes a vendor, contractor, or consultant to the District.

**Section 3.9. Subcommittees.** The Committee may form subcommittees for a specific task and for a specific period of time. Any subcommittee shall report to the Committee. The Chair shall serve as ex-officio member on any subcommittee. Subcommittee meetings shall be noticed and open to the public pursuant to section 3.1.

**Section 3.10. Ethics; Conflicts of Interest.** By accepting appointment to the Committee, each member agrees to comply with the Committee Ethics Policy included as Attachment A to the bylaws, as amended.

**Section 3.11. Technical Assistance.** Pursuant to section 15280, the Board shall, without expending bond funds, provide the Committee with necessary technical assistance and shall provide administrative assistance in furtherance of its purpose and sufficient resources to publicize the conclusions of the Committee.

**Section 4. Officers.** The Committee may elect, at any time, a Chair and a Vice Chair who shall carry out the duties and responsibilities as follows:

**Section 4.1. Duties of the Chair.** The Chair shall preside at all meetings of the Committee and may sign letters, reports, or other communications on behalf of the Committee. The Chair also serves as the spokesperson and representative to the Board on behalf of the Committee.

**Section 4.2. Duties of the Vice Chair.** The Vice-Chair shall assume the duties of the Chair in the absence of the Chair. The Vice-Chair shall also be responsible for such duties as may be assigned by the Chair.

**Section 4.3. Terms of Chair and Vice Chair.** The Chair and Vice Chair shall serve at the pleasure of the Committee and may be selected or replaced at any time in the discretion of the majority of the members in a meeting at which a quorum is present and the matter is properly agendaed under the Brown Act.

**Section 5. Adoption and Amendment of Bylaws.** The Committee shall adopt these bylaws, as amended, and may make subsequent amendments to its bylaws by a majority vote of the Committee at which a quorum is present.

**Section 6. Termination of Committee.** The Committee shall terminate upon completion of all duties pursuant to sections 15278 et seq. or unless superseded by a new Citizens' Bond Oversight Committee formed by the Board.

\* \* \* \*

The bylaws, as set forth above, were duly adopted by a majority vote of the quorum of the Committee on the \_\_\_\_\_ day of \_\_\_\_\_, 2013.

Dated: \_\_\_\_\_

\_\_\_\_\_  
By:  
Its: Chair

## ATTACHMENT A

### CITIZENS' BOND OVERSIGHT COMMITTEE ETHICS POLICY

This Ethics Policy 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 describes some of the critical areas that help define ethical and professional conduct for Committee members. Committee members are expected to 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 a family member, such as a spouse, child or parent. Pursuant to Education Code section 35233, Committee members shall comply with Government Code sections 1090 et seq. and Government Code sections 1125 et seq.
- **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.
- **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 and Government Codes) and all other applicable policies of the District.
- **COMMITMENT TO DISTRICT.** A Committee member shall place the interest of the District above any personal or business interest of the member.