



Citizens Bond Oversight Committee

For Solano Community College District

Measures G and Q Bonds

Special Meeting

Tuesday, June 16, 2015

5:30p.m. – 6:30p.m.

Fairfield Campus Building 600 – Denis Honeychurch Board Room
Solano Community College, 4000 Suisun Valley Road, Fairfield, CA 94534

Please Note: Members of the public may address the CBOC on any item within the CBOC's jurisdiction. Cards which must be completed requesting to address the CBOC are available at the press table and must be submitted to the Chair at the meeting. Persons addressing items included on the agenda will be heard at the time the item is considered. Persons requesting to address items or subjects that are not on the agenda will be heard under the agenda item, "Comments from Members of the Public." **Except as extended by the Chair, each speaker coming before the CBOC is limited to one presentation per specific agenda item and to one presentation per meeting on non-agenda matters. The three minutes time allotted for speaking per topic is only allotted for the individual whose name is on the Public Comment Card that is submitted at the beginning of the meeting. No speaker can yield their three minutes or a portion of their three minutes to another speaker. (SCCD Board Policy 1043).** The CBOC cannot take action on any items not on the agenda unless authorized by law. Matters brought before the CBOC that are not on the agenda may, at the CBOC's discretion, be placed on a future agenda. The CBOC Chair reserves the right to modify the order of business in the manner it deems appropriate. As a courtesy to others, please turn off cell phones or pagers.

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA

3. ROLL CALL

Lyman Dennis, Chair
Hermie Sunga, Vice Chair
Angelo Cellini
Robert Charboneau
Neil Ferguson
David Fleming
Melvin Jordan

4. APPROVAL OF AGENDA



5. **COMMENTS FROM MEMBERS OF THE PUBLIC**
6. **REPORTS (NO ACTION REQUIRED):**
 - a) CalBOC Conference Follow Up
 - b) Role and Responsibilities of the CBOC Members
7. **ACTION ITEMS**
 - a) Approval of Regular Meeting Minutes of May 18, 2015
 - b) Consideration and Vote on Proposed New CBOC By-Laws
8. **INFORMATION ITEMS-NO ACTION REQUIRED**
9. **ANNOUNCEMENTS**
10. **ITEMS FOR THE NEXT MEETING**
11. **ADJOURNMENT**

Materials related to an item on this Agenda submitted to the CBOC after distribution of the agenda packet are available for public inspection in the Bond Business Operations Coordinator's Office in the Administration Building, 4000 Suisun Valley Road, Fairfield, California 94534. All meeting materials provided at time of publication are available on the Solano College Web site at www.solano.edu for public inspection.

Pursuant to Government Code Sections 11123.1 and 11125(f), individuals with disabilities who require accessible alternative formats of the agenda and related meeting materials and/or auxiliary aids/services to participate in the meeting should contact the Bond Business Operation Coordinator's Office at (707) 864-7000 x 4539 no later than three days prior to the scheduled meeting. Meetings are held in locations which are wheelchair accessible.

**INDEPENDENT CITIZENS' BOND OVERSIGHT COMMITTEE
BYLAWS AMENDED JUNE 2015**

Section 1. Citizen's Bond Oversight Committee Established. The Solano Community College District (the "District") was successful at the election conducted on November 5, 2002 (the "2002 Election"), in obtaining authorization from the District's voters to issue up to \$124,500,000 aggregate principal amount of the District's general obligation bonds (the "2002 Measure"). The Solano Community College District (the "District") was successful at the election conducted on November 6, 2012 (the "2012 Election"), in obtaining authorization from the District's voters to issue up to \$348,000,000 aggregate principal amount of the District's general obligation bonds (the "2012 Measure Q"). The 2002 Election and the 2012 Election are hereinafter referred to as (the "Elections"). The 2002 Measure and the 2012 Measure Q are hereinafter referred to as (the "Measures"). The Elections were each 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 is obligated to establish the Citizens' Bond Oversight Committee (the "CBOC") in order to satisfy the accountability requirements of Prop 39. The Board of Trustees of the Solano Community College District (the "Board") hereby confirms that the CBOC initially established for the 2002 Measure shall have the duties and rights set forth in these Bylaws with oversight responsibility over both the 2002 Measure and Measure Q. Pursuant to Education Code Section 17278(a), the CBOC shall be an independent citizens oversight committee.

Section 2. Purposes. The purpose of the CBOC shall be to inform the public concerning the expenditure of bond revenues. The CBOC shall actively review and report on the proper expenditure of taxpayers' money for school construction. The CBOC 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. The CBOC shall convene to provide oversight for, but not be limited to the functions listed in Section 3, Duties, which follows.

The CBOC 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 its provisions.

The proceeds of general obligation bonds issued pursuant to the Elections are hereinafter referred to as "bond proceeds." The CBOC shall confine itself specifically to bond proceeds generated under the Measures. Regular and scheduled maintenance projects and all monies generated under other sources shall fall outside the scope of the CBOC's review, except as they may impact the expenditure of bond funds.

Section 3. Duties. The CBOC shall have powers and authority as established by Education Code Section 15278 and all duties imposed on them by Article XIII A, Section 1 of the

California Constitution and these bylaws. All Paragraph and Subparagraph references listed in this Section 3 are to the California Constitution, Article XIII A, Section 1, subdivision (b), paragraph (3).

3.1 Bond Revenue Expenditures. The CBOC shall ensure that bond revenues are expended only for the purposes described in Paragraph (3).

3.2 No Operating Expenditures. The CBOC shall ensure that, as prohibited by Subparagraph (A), no funds are used for any teacher or administrative salaries or other school operating expenses.

3.3 CBOC Activities. In furtherance of its purpose, the CBOC may engage in any of the following activities.

- (1) Performance Audit. Receiving and reviewing copies of the annual, independent performance audit to ensure that the funds have been expended only on the specific projects listed as required by Subparagraph (C). The CBOC will participate with the District in the development of the scope of work for the performance audit and will receive a detailed performance audit report in addition to the published summary report.
- (2) Financial Audit. Receiving and reviewing copies of the annual, independent financial audit of the proceeds from the sale of the bonds until all of those proceeds have been expended for the school facilities projects, required by Subparagraph (D).
- (3) Inspecting School Facilities. Inspecting school facilities and grounds to ensure that bond revenues are expended in compliance with the requirements of Paragraph (3).
- (4) Deferred Maintenance. Receiving and reviewing copies of any deferred maintenance proposals or plans developed by the District.
- (5) Cost-Saving Measures. Reviewing efforts by the District to maximize bond revenues by implementing cost-saving measures, including, but not limited to, all of the following:
 - a. Professional fees. Mechanisms designed to reduce the costs of professional fees.
 - b. Site preparation. Mechanisms designed to reduce the costs of site preparation.
 - c. Joint use of core facilities. Recommendation regarding the joint use of core facilities.
 - d. Efficiencies in schoolsite design. Mechanisms designed to reduce costs by incorporating efficiencies in schoolsite design.
 - e. Reusable facility plans. Recommendations regarding the use of cost-effective and efficient reusable facility plans.

3.4 Annual Report. The Committee shall prepare and present to the Board, in public

session, an annual written report which shall include the following:

- (1) Compliance Statement. A statement indicating whether the District is in compliance with the requirements of Paragraph (3 and
- (2) Summary of CBOC Activities. A summary of the CBOC's proceedings and activities for the preceding year.

Section 4. Membership.

4.1 Number. The CBOC shall consist of a minimum of seven (7) members based on criteria specified in the Education Code Section 15282 (a).

- (1) One (1) member active in a business organization representing the business community located in the District.
- (2) One (1) member active in a senior citizens' organization.
- (3) One (1) member active in a bona-fide taxpayers association.
- (4) One (1) student enrolled and active in a community college support group, such as student government. The community college student member may, at the discretion of the District, may serve up to six months after his or her graduation.
- (5) One (1) member active in a support organization for the college such as a member of an advisory council or foundation.
- (6) Two (2) members of the community who demonstrate indirect and/or experience in the construction and building trades or at-large members of the community, who are persons who demonstrate interest in and/or experience with the mission and facilities of the District; such as, citizen members of occupational advisory groups, local business representatives, or representatives of local civic organizations.

4.2 Qualification Standards.

- (1) To be a qualified person, he or she must be at least 18 years of age and reside within the District's geographic boundary.
- (2) The CBOC may not include any employee, official of the District or any vendor, contractor or consultant of the District.

4.3 Ethics: Conflicts of Interest. Members of the CBOC are not subject to Articles 4 (commencing with Section 1090) and 4.7 (commencing with Section 1125) of Division 4 of Title 1 of the Government Code and the Political Reform Act (Gov. Code §§ 81000 *et seq.*), and are not required to complete the Form 700. However, each member shall comply with the CBOC Ethics Policy Statement attached as "Attachment A" to these Bylaws.

4.4 Term. Except as otherwise provided herein, each member shall serve a term of three (3) years, commencing as of the date of appointment by the Board. No member may serve more than two (2) consecutive terms. Members whose term has expired may continue to serve on the CBOC until a successor has been appointed. Members serving on the original 2002 Measure CBOC shall remain on the CBOC and may serve for new terms as described herein.

4.5 Appointment. Members of the CBOC shall be nominated by the CBOC and appointed by the Board through the following process: (a) the District shall advertise for members in accordance with its customary practices, including through local newspapers and the District's website; (b) appropriate local groups will be solicited for applications; (c) the CBOC and the Superintendent/President or his designee will review the applications, and jointly or separately make recommendations to the Board; and (d) the Board will make the appointments at a noticed meeting of the Board by resolution.

4.6 Removal; Vacancy. The CBOC or the Board may remove any CBOC member for failure to attend two consecutive CBOC meetings without reasonable excuse or for failure to comply with the CBOC Ethics Policy. Upon a member's removal, his or her seat shall be declared vacant. The CBOC and the Board, in accordance with the established appointment process shall fill any vacancies on the CBOC. The CBOC and the District shall seek to fill vacancies within 90 days.

4.7 Compensation. The CBOC members shall not be compensated for their services.

Section 5. Meetings of the CBOC.

5.1 Regular Meetings. The CBOC is required to meet at least quarterly, including an annual organizational meeting, and may meet as often as the CBOC deems necessary. Special meetings of the CBOC may be called by the Chair or by a majority of the members, pursuant to Brown Act requirements.

5.2 Location. All CBOC meetings shall be held at a Solano Community College District facility, if available. If not available, a meeting may be held at another location in Solano County arranged by the District prior to and included in the meeting notice.

5.3 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 CBOC may adopt. A majority of the number of CBOC members shall constitute a quorum for the transaction of any business. Assuming there is a quorum, the CBOC may act by a majority of the members present. The CBOC may constitute one or more Subcommittees which may meet outside of CBOC meetings. Notes will be kept. If a Subcommittee is of sufficient size, Brown Act notice will be provided.

Section 6. District Support.

The District shall provide necessary administrative support to the CBOC as shall be consistent with the CBOC's purposes.

6.1 The District shall provide to the CBOC 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 CBOC records, and providing public access to such records on an Internet website maintained by the District.

6.2 No bond proceeds of the Measures may be made to provide District support of the CBOC.

Section 7. Officers. The CBOC shall elect the Chair and a Vice-Chair who shall act as Chair only when the Chair is absent. No person shall serve as Chair for more than three consecutive years.

Section 8. Amendment of Bylaws. Any amendment to these Bylaws shall be approved by a majority vote of the CBOC.

Section 9. Termination. The CBOC shall automatically terminate and disband concurrently with the CBOC's submission of its final Annual Report which reflects the final accounting of the expenditure of all the proceeds of the Measures.

**CITIZENS' BOND OVERSIGHT CBOC ETHICS POLICY
STATEMENT**

Attachment A

This Ethics Policy Statement provides general guidelines for CBOC members to follow in carrying out their roles. Not all ethical issues that CBOC members face are covered in this Statement. However, this Statement captures some of the critical areas that help define ethical and professional conduct for CBOC 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. CBOC members are expected to strictly adhere to the provisions of this Ethics Policy.

POLICY

- **CONFLICT OF INTEREST.** A CBOC 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 CBOC member's outside employment, business, or a personal finance or benefit an immediate family member, such as a spouse, child or parent.

- **OUTSIDE EMPLOYMENT.** A CBOC 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 CBOC member shall not 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 CBOC, a former CBOC member may not represent any person or organization for compensation in connection with any matter pending before the District that, as a CBOC member, he or she participated in personally and substantially. Specifically, for a period of two (2) years after leaving the CBOC, a former CBOC 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) any construction project.

- **COMMITMENT TO UPHOLD LAW.** A CBOC 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 Solano Community College District.

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

**INDEPENDENT CITIZENS' BOND OVERSIGHT COMMITTEE
AMENDED AND RESTATED BYLAWS**

Section 1. Committee Established. The Solano Community College District (the "District") was successful at the election conducted on November 5, 2002 (the "2002 Election"), in obtaining authorization from the District's voters to issue up to \$124,500,000 aggregate principal amount of the District's general obligation bonds (the "2002 Measure"). The Solano Community College District (the "District") was successful at the election conducted on November 6, 2012 (the "2012 Election"), in obtaining authorization from the District's voters to issue up to \$348,000,000 aggregate principal amount of the District's general obligation bonds (the "2012 Measure Q"). The 2002 Election and the 2012 Election are hereinafter referred to as (the "Elections"). The 2002 Measure and the 2012 Measure Q are hereinafter referred to as (the "Measures"). The Elections were each 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 is obligated to establish the Citizens' Bond Oversight Committee (the "CBOC") in order to satisfy the accountability requirements of Prop 39. The Board of Trustees of the Solano Community College District (the "Board") hereby confirms that the ~~Citizens' Bond Oversight Committee (the "Committee")~~CBOC initially established for the 2002 Measure shall have the duties and rights set forth in these Bylaws with oversight responsibility over both the 2002 Measure and Measure Q. Pursuant to Education Code Section 17278(a), The the Committee CBOC does not have independent legal capacity from the District shall be an independent citizen's oversight committee.

Section 2. Purposes. The purposes of the ~~Committee~~CBOC shall be to inform the public concerning the expenditure of bond revenues. The CBOC shall actively review and report on the proper expenditure of taxpayers' money for school construction. The CBOC 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. The CBOC shall convene to provide oversight for, but not be limited to the functions listed in Section 3, Duties, which follows, 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, as set forth in Prop 39.

Section 2. The CBOC shall be deemed to be subject to the Ralph M. Brown Public Meetings Act of the State of California and shall conduct its meeting in accordance with its provisions.

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The proceeds of general obligation bonds issued pursuant to the Elections are hereinafter referred to as "bond proceeds." The ~~Committee~~CBOC shall confine itself specifically to bond proceeds generated under the Measures. Regular and scheduled maintenance projects and all monies generated under other sources shall fall outside the scope of the ~~Committee's~~CBOC's review, except as they may impact the expenditure of bond funds.

Section 3. Duties. The CBOC shall have powers and authority as established by Education Code Section 15278 and all duties imposed on them by Article XIII A Section 1 of the California Constitution and these bylaws. All Paragraph and Subparagraph references listed in this section 3 are to the California Constitution, Article XIII A, Section 1, subdivision (b), paragraph (3). To carry out its

stated purposes, the Committee shall perform the duties set forth in Sections 3.1, 3.2 and 3.3 and shall refrain from those activities set forth in Sections 3.4 and 3.5:

3.1 ~~Inform the Public~~ Bond Revenue Expenditures. The CBOC shall ensure that bond revenues are expended only for the purpose described in Paragraph (3). ~~The Committee shall inform the public concerning the District's expenditure of bond proceeds. In fulfilling this duty, all official communications to either the Board 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~~ 3.2 Review Expenditures ~~No Operating Expenditures.~~ The Committee ~~CBOC~~ shall ~~review expenditure reports produced by the District to ensure that, as prohibited by Subparagraph (A), no (a) bond proceeds funds were expended only for the purposes set forth in the ballot Measures; and (b) no bond proceeds were are used for any inappropriate teacher or administrative salaries or other operating expenses, in accordance with Attorney General Opinion 04-110 issued on November 9, 2004.~~

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3.3 CBOC Activities. In furtherance of its purpose, the CBOC may engage in any of the following activities.

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(1) Performance Audit. Receiving and reviewing copies of the annual independent performance audit to ensure that the funds have been expended only on the specific projects listed as required by Subparagraph ©. The CBOC will participate with the District in the development of the scope of work for the performance audit and will receive a detailed performance audit report in addition to the published summary report.

(2) Financial Audit. Receiving and reviewing copies of the annual, independent financial audit of the proceeds from the sale of bonds until all those proceeds have been expended for the school facilities projects, required by Subparagraph (D).

(3) Inspecting School Facilities. Inspecting school facilities and grounds to ensure that bond revenues are expended in compliance with the requirements of Paragraph (3).

(4) Deferred Maintenance. Receiving and reviewing copies of any deferred maintenance proposals or plans developed by the District.

(5) Cost Saving Measures. Reviewing efforts by the District to maximize bond revenues by implementing cost-saving measures, including, but not limited to all of the following:

(a) Professional fees. Mechanisms designed to reduce the costs of professional fees.

(b) Site preparation. Mechanisms designed to reduce the costs of site preparation.

(c) Joint Use of core facilities. Recommendation regarding the joint use of core facilities.

(d) Efficiencies in school site design. Mechanisms designed to reduce costs by incorporating efficiencies in school site design.

(e) Reusable facility plans. Recommendations regarding the use of cost-effective and efficient reusable facility plans.

~~3.3~~ ~~3.4 Annual Report.~~ The ~~Committee-CBOC~~ shall ~~prepare and~~ present to the Board, in public session, an annual written report which shall include the following:

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~~(a)~~ ~~(1)~~ 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 Paragraph (3) and~~

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~~(b)~~ ~~(2)~~ A summary of the ~~Committee's-CBOC's~~ proceedings and activities for the preceding year.

~~3.4 Duties of the Board/Superintendent/President.~~ Either the Board or the Superintendent/President, as the Board shall determine, shall have the following powers reserved to it, and the Committee shall have no jurisdiction over the following types of activities:

- ~~(i) Approval of construction contracts,~~
- ~~(ii) Approval of construction change orders,~~
- ~~(iii) Appropriation of construction funds,~~
- ~~(iv) Handling of all legal matters,~~
- ~~(v) Approval of construction plans and schedules,~~
- ~~(vi) Approval of scheduled maintenance plans, and~~
- ~~(vii) Approval of the sale of bonds.~~

~~3.5 Responsibilities Not Assigned By the Board to the Committee.~~ In recognition of the fact that the Committee is charged with overseeing the expenditure of bond proceeds, the Board has not charged the Committee with responsibility for:

~~(a) Projects financed through the State of California, developer fees, redevelopment tax increment, certificates of participation, lease/revenue bonds, the general fund or the sale of surplus property without bond proceeds shall be outside the authority of the Committee.~~

~~(b) The establishment of priorities and order of construction for the bond projects shall be presented to the Board by the Superintendent/President for their approval.~~

~~(c) The selection of architects, engineers, soils engineers, construction managers, project managers, CEQA consultants and such other professional service firms as are required to complete the project based on District criteria established by the Board in its sole discretion.~~

~~(d) The approval of the design for each project including exterior materials, paint color, interior finishes, site plan and construction methods (modular vs. permanent) by the Board in its sole discretion and shall report to the Committee on any cost saving techniques considered or adopted by the Board.~~

~~(e) The selection of independent audit firm(s), performance audit consultants and such other consultants as are necessary to support the activities of the Committee.~~

~~(f) The approval of an annual budget for the Committee that is sufficient to carry out the activities set forth in Prop 39 and included herein.~~

~~(g) The adoption of a plan for publicizing the activities of the Committee and the determination as to whether a mailer, a newspaper notice or website materials would best suit the distribution of the Committee's findings and recommendations.~~

~~(h) The amendment or modification of the Bylaws for the Committee as provided herein, subject to the legal requirements of Prop 39.~~

~~(i) 39.~~

~~(j) The appointment or reappointment of qualified applicants to serve on the Committee.~~

~~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 Prop 39 (Article XIII A of the California Constitution).~~

~~(b) Inspect college facilities and grounds for which bond proceeds have been or will be expended, in accordance with any access procedure established by the District's Superintendent/President, or his or her designee.~~

~~(c) Review copies of scheduled maintenance proposals or plans developed by the District.~~

~~(d) Review efforts by the District to maximize bond proceeds by implementing various cost saving measures.~~

~~Section 5, Section 4. Membership.~~

~~5.1 Number.~~

~~4.1 Number. The Committee-CBOC shall consist of a minimum of nine seven (97) 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 specified in the Education Code Section 15282 (a).:~~

- ~~• Every effort will be made to maintain broad geographic representation of the District.~~
- One (1) student enrolled and active in a community college support group, such as student government. The community college student member may, at the discretion of the District, may serve up to six months after his or her graduation.

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- One (1) member active in a business organization representing the business community located in the District.
- ~~Every effort will be made to maintain broad geographic representation of the District.~~
- One (1) member active in a senior citizens' organization.
- One (1) member active in a bona-fide taxpayers association.
- One (1) member active in a support organization for the college such as a member of an advisory council or foundation.
- ~~Two (2) at-large members of the community, who are persons who demonstrate interest in and/or experience with the mission and facilities of the District; such as, citizen members of occupational advisory groups, local business representatives, or representatives of local civic organizations.~~
- ~~Two (2) members of the community who demonstrate indirect and/or experience in the construction and building trades or at-large members of the community, who are persons who demonstrate interest in and/or experience with the mission and facilities of the District; such as, citizen members of occupational advisory groups, local business representatives, or representatives of local civic organizations. -~~

5.24.2 Qualification Standards.

- To be a qualified person, he or she must be at least 18 years of age and reside within the District's geographic boundary.
- The ~~Committee CBOC~~ may not include any employee, official of the District or any vendor, contractor or consultant of the District.

5.34.3 Ethics: Conflicts of Interest. Members of the Committee are not subject to Articles 4 (commencing with Section 1090) and 4.7 (commencing with Section 1125) of Division 4 of Title 1 of the Government Code and the Political Reform Act (Gov. Code §§ 81000 *et seq.*), and are not required to complete the Form 700. However, each member shall comply with the ~~Committee CBOC~~ Ethics Policy Statement attached as "Attachment A" to these ~~Amended and Restated~~ Bylaws.

5.41.4 Term. Except as otherwise provided herein, each member shall serve a term of three (3) years, commencing as of the date of appointment by the Board. No member may serve more than two (2) consecutive terms. ~~At the Committee's first meeting, members will draw lots to select a minimum of two members to serve for an initial two (2) year term and the remaining members for an initial three (3) year term.~~ Members whose term has expired may continue to serve on the ~~Committee CBOC~~ until a successor has been appointed. Members serving on the original 2002 Measure Committee shall remain on the Committee and may serve for new terms as described herein.

5.54.5 Appointment. Members of the ~~Committee CBOC~~ shall be nominated by the CBOC and appointed by the Board through the following process: (a) the District shall advertise for members in accordance with its customary practices, including through local newspapers and the District's website; (b) appropriate local groups will be solicited for applications; (c) the ~~Board's Citizen Bond~~

~~Oversight Ad hoc Committee~~ CBOC and the Superintendent/President or his designee will review the applications, and jointly or separately make recommendations to the Board; and (d) ~~the Superintendent/President will make recommendations to the Board and~~ the Board will make the appointments at a noticed meeting of the Board by resolution.

~~5.64.6~~ Removal; Vacancy. The ~~CBOC or~~ Board may remove any ~~Committee~~ CBOC member for failure to attend two consecutive ~~Committee~~ CBOC meetings without reasonable excuse or for failure to comply with the ~~Committee~~ CBOC Ethics Policy. Upon a member's removal, his or her seat shall be declared vacant. ~~The~~ The CBOC and the Board, in accordance with the established appointment process shall fill any vacancies on the ~~Committee~~ CBOC. The ~~CBOC and the~~ District shall seek to fill vacancies within 90 days.

~~5.74.7~~ Compensation. The Committee members shall not be compensated for their services.

~~5.8~~ Authority of Members. (a) ~~Committee members shall not have the authority to direct staff of the District; (b) Individual members of the Committee retain the right to address the Board, either on behalf of the Committee or as an individual; and (c) the Committee and its Members shall have the right to request and receive only copies of reports and records relating to the Measures projects which have been prepared for the Board and which have become a public record.~~

~~Section 6~~ Section 5. Meetings of the Committee.

~~6.45.1~~ Regular Meetings. The ~~Committee~~ CBOC is required to meet at least ~~once a year quarterly,~~ including an annual organizational meeting, ~~but and may not meet more frequently than quarterly, as often as the CBOC deems necessary. Special meetings of the CBOC may be called by the Chair or by a majority of the members, pursuant to Brown Act Requirements.~~

~~6.25.2~~ Location. All CBOC meetings shall be held ~~within at the jurisdiction of the Solano a Solano~~ Community College District facility, if available. If not available, a meeting may be held at another location in the Solano County arranged by the District prior to and included in the meeting notice.

~~6.35.3~~ 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~~ CBOC may adopt. A majority of the number of ~~Committee members~~ CBOC members shall constitute a quorum for the transaction of any business. Assuming there is a quorum, the CBOC may act by a majority of the members present. The CBOC may constitute one or more subcommittees which may meet outside of CBOC meetings. Notes will be kept. If a subcommittee is of sufficient size, Brown Act notice will be provided.

~~Section 7~~ Section 6. District Support.

~~6.1~~ The District shall provide to the Committee necessary technical and administrative assistance support to the CBOC as shall be consistent with the CBOC's purposes, as follows:

~~7.1~~ 6.2 The District shall provide the CBOC necessary technical and administrative assistance as follows:

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(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~~CBOC records, and providing public access to such records on an Internet website maintained by the District.

~~7.2 District staff and/or District consultants shall attend all Committee proceedings in order to report on the status of projects and the expenditures of bond proceeds.~~

~~7.3.6.2~~ No bond proceeds of the Measures may be made to provide District support of the ~~Committee~~CBOC.

~~Section 8. Reports.~~ In addition to the Annual Report required in Section 3.3, the Committee may report to the Board at least annually in order to advise the Board on the activities of the Committee. Such report shall be in writing and shall summarize the proceedings and activities conducted by the Committee.

~~Section 9.~~Section 7. **Officers.** The ~~CBOC Board, upon the recommendation of the Superintendent/President, shall appoint the initial Chair of the Committee to serve for one year as Chair. Thereafter, the Committee~~ shall elect the Chair and a Vice-Chair who shall act as Chair only when the Chair is absent. No person shall serve as Chair for more than three consecutive years.

~~Section 10.~~Section 8. **Amendment of Bylaws.** Any amendment to these Bylaws shall be approved by a majority vote of the ~~Board~~CBOC.

~~Section 11.~~Section 9. **Termination.** The Committee shall automatically terminate and disband concurrently with the ~~Committee's~~CBOC's submission of its final Annual Report which reflects the final accounting of the expenditure of all the proceeds of the Measures.

**CITIZENS' BOND OVERSIGHT COMMITTEE
ETHICS POLICY STATEMENT**

Attachment A

This Ethics Policy Statement provides general guidelines for ~~Committee-CBOC~~ members to follow in carrying out their roles. Not all ethical issues that ~~Committee-CBOC~~ 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-CBOC~~ 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-CBOC~~ members are expected to strictly adhere to the provisions of this Ethics Policy.

POLICY

- **CONFLICT OF INTEREST.** A ~~Committee-CBOC~~ 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 ~~CBOCCommittee~~ member's outside employment, business, or a personal finance or benefit an immediate family member, such as a spouse, child or parent.
- **OUTSIDE EMPLOYMENT.** A ~~CBOCCommittee~~ 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 ~~CBOCCommittee~~ member shall not 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 ~~CBOCCommittee~~, a former ~~CBOCCommittee~~ member may not represent any person or organization for compensation in connection with any matter pending before the District that, as a ~~CBOCCommittee~~ member, he or she participated in personally and substantially. Specifically, for a period of two (2) years after leaving the ~~CBOCCommittee~~, a former ~~CBOCCommittee~~ 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) any construction project.
- **COMMITMENT TO UPHOLD LAW.** A ~~CBOCCommittee~~ 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 Solano Community College District.
- **COMMITMENT TO DISTRICT.** A ~~CBOCCommittee~~ member shall place the interests of the District above any personal or business interest of the member.