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PROCEDURES FOR ESTABLISHING AND MAINTAINING
THE INDEPENDENT CITIZENS' BOND OVERSIGHT COMMITTEE

ADOPT: MAY 14, 2002

REVIEWED: MAY 8, 2007

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REVISED: JANUARY 10, 2012

ED CODE: 15264 et.seq.

I. Membership - Appointment, Qualifications, and Term of Office

A. Membership on the Citizens' Bond Oversight Committee

There will be no less than seven ~~(7) nor more than 14~~ members appointed by the Board from a list of candidates submitting written applications, and based on criteria established by Prop 39 on the Citizens' Bond Oversight Committee (CBOC), as follows:

1. One person who is active in a business organization representing the business community in the District;
2. One person who is active in a senior citizens' organization;
3. One person-who is active in a bona fide taxpayers' organization;
4. One person who is a student enrolled in good standing in the College for a minimum of six units of credit and active in a College group, such as the Associated Students Senate organization;
5. One person who is an active member in a support organization for the college such as of a College Advisory Committee or The Foundation; and,
6. Two to six persons who demonstrate interest in and/or experience with the mission and facilities of Sonoma County Junior College District; such as, citizen members of occupational advisory groups, local business representatives, or representatives of local civic organizations. Every effort will be made to maintain broad geographic representation of the District.

B. The Board will provide for appointing the members of the CBOC through the following process:

1. Appropriate local groups will be solicited for applications;
2. ~~Three members of the Board of Trustees and~~ the Superintendent/President will review the applications received and will make recommendations to the full Board.
3. The Board of Trustees will review the recommendations and in a duly noticed public session of the Board will make a final decision regarding appointments.

C. General Qualifications

1. Employees and Employee Representatives:

No employee of the District may be appointed as a member of the CBOC. Any District employee representative to the committee may participate in the committee's deliberations but may not cast a vote as a committee member or otherwise participate in any similar form of formal decision-making.

2. Interested Vendors:

No vendor, contractor, or consultant of the District shall be appointed to the CBOC.

3. Elected Officials:

Elected officials are not eligible to be members of the CBOC. (Ref. Government Code 1125)

4. To be a qualified person, he or she must be at least 18 years of age.

D. Term

1. Members of the CBOC shall serve for a term of no more than two years without compensation and for no more than ~~two~~ three consecutive terms. Lots will be drawn in the first year so that one half of the group will serve a one year term in their first cycle. This will allow for staggered terms within the committee and greater continuity of information shared within the membership. Members whose terms have expired may continue to serve on the Committee until a successor has been appointed. Members of the Measure H Committee may be appointed to the Committee and be entitled to new terms as described, regardless of their period of service on the Measure H Committee.

~~2. The community college student may, at the discretion of the Board, serve up to six months after his or her graduation.~~

E. Removal From Membership

Members of the CBOC serve at the pleasure of the Board of Trustees and may be removed at the Board of Trustees' sole discretion. Such items as attendance at meetings will be considered by the Board of Trustees in making a determination for removal.

F. Process for Replacement

If mid-term vacancies occur, the process for replacement shall generally follow the same process as for regular appointments. The Superintendent/President, with the concurrence of the Board of Trustees, may adjust the processes as may be reasonably necessary for the particular circumstances.

II. Authority

A. CBOC Role

1. The role of the Citizens' Bond Oversight Committee shall be as set forth in Education Code Section 15728 as that section now exists or may heretofore be amended. Specific duties shall be to inform the public concerning the District's expenditure of revenues received from the sale of general obligation bonds authorized by the voters on ~~March 6, 2002~~ November 4, 2015. In particular, the Committee will provide oversight ensuring that:
 - a. bond revenues are expended only for the construction, reconstruction, rehabilitation, or replacement of College facilities, including the furnishing and equipping of District facilities, or the acquisition or lease of real property for College facilities; and,

- b. no bond revenues are expended for any teacher or administrative salaries or other College operating expenses.
 - 2. To carry out its role, the CBOC may:
 - a. receive and review copies of the annual independent performance audit conducted to ensure that the bond revenue has been expended only on the specific projects listed in the bond proposition;
 - b. receive and review copies of the annual independent financial audit of the bond revenues and expenditures;
 - c. inspect District facilities and grounds to ensure that the bond revenues are expended in compliance with the requirements of paragraph (3) of subdivision (b) of Section 1 or Article XIII A of the California Constitution;
 - d. receive and review copies of deferred maintenance proposals or plans developed by the District; and,
 - e. review efforts by the District to maximize bond revenues by implementing various cost saving measures.
 - B. Legal Capacity of the CBOC
 - 1. The CBOC is the citizens' advisory committee established pursuant to Education Code Section 15264, et.seq.
 - 2. The CBOC's legal authority shall be as set forth in ~~Education Code 15264, et.seq~~ by State Law.
 - C. Information Provided to Committee Members
 - 1. Information provided by staff to one member of the CBOC shall be provided to all members of the CBOC, in accordance with the directions of the District Superintendent/President.
 - D. Authority of Individual Committee Members
 - 1. The Chair of the CBOC shall have the authority to direct appropriate District staff as necessary to comply with public meeting laws.
 - 2. No individual committee member shall have the authority to direct District staff.
 - E. Selection of Chair
 - 1. The ~~Board of Trustees~~ Superintendent/President shall designate the initial Chair for the CBOC.
 - 2. Thereafter, the Chair for the CBOC will be selected annually at the first meeting held on or after July 1, or as vacancies may occur. The Chair shall serve at the pleasure of the committee.
- III. Procedures for CBOC Meetings and Support
- A. District staffing support of the committee
 - 1. Reasonable staffing shall be provided by the District to the CBOC without charge to bond funds.
 - 2. The management-level staff person for the CBOC will report to the Superintendent/President.

3. Staffing levels are within the discretion of the Superintendent/President, but the CBOC may make recommendations regarding their respective staffing needs.
4. The Superintendent/President should seek input from individual committee members regarding the evaluation of staff members' work as related to CBOC activities.
5. The CBOC ~~will meet no less than two times per year~~ committee shall meet at least once a year, but shall not meet more frequently than quarterly.

B. Legal Counsel

The Chair of the CBOC may seek District legal counsel as necessary through the Superintendent/President. The CBOC does not have a separate legal capacity from the District and the committee may not obtain other legal counsel without authorization from the Superintendent/President in consultation with the Board of Trustees.

C. Defense and Indemnity

In accordance with and subject to the terms of the Tort Claims Act (Government Code Sections 810-996.4) the District has a duty to defend and indemnify volunteers acting within the course and scope of their volunteer duties. In the event of litigation naming the CBOC, or the individual members, the Board of Trustees shall as required by law provide counsel for the CBOC, and shall promptly determine whether to provide counsel for individual members.

IV. Conduct of Meetings

A. Quorum

A quorum of the CBOC shall consist of 50% plus one member of the CBOC.

B. Public Meetings

1. The CBOC is subject to the open meeting laws of the State of California.
2. Notices and agendas regarding the CBOC shall be posted in the same locations as the notices and agendas regarding the Board of Trustees meetings.
3. The Superintendent/President will provide each member of each committee a current copy of the open meeting laws of the State of California.

C. Public Records

Minutes of the proceedings of the Citizens' Bond Oversight Committee and all documents received and reports issued shall be a matter of public record.

- D. Except as otherwise provided by its by-laws or applicable law the CBOC shall conduct meetings in accordance with Robert's Rules of Order, Newly Revised, as applicable to small committees.