



# INDEPENDENT CITIZENS' BOND OVERSIGHT COMMITTEE

BYLAWS - ROLES AND RESPONSIBILITIES



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## ■ **Measure M and Measure E General Obligation Bond Authorizations**

- Proposition 39 – Strict Accountability in Local School Construction Bonds Act of 2000
- General Obligation Bond Elections Conducted Under Proposition 39
- Each Measure Was Successfully Passed by the Voters with Over 50%
- Measure M                      November 7, 2006                      \$160 M
- Measure E                      June 7, 2016                      \$230 M

# INDEPENDENT CITIZENS' BOND OVERSIGHT COMMITTEE BYLAWS - ROLES AND RESPONSIBILITIES

- **Why is There a Citizens' Oversight Committee?**
  - Prop 39 Established Requirement for Oversight Committee
  - Review Bond Expenditures and Annual Audits Associated with General Obligation Bonds
  - Receive Information and Ask Questions of Staff
  - Provide an Annual Report to the Board of Trustees on Activity
  - Provide Input to Report to the Community
  - Authority to Approve Reserved for Chancellor and Board of Trustees
    - Contracts
    - Change Orders
    - Bond Sales

# INDEPENDENT CITIZENS' BOND OVERSIGHT COMMITTEE BYLAWS - ROLES AND RESPONSIBILITIES

- **Why is There a Citizens' Oversight Committee?**
  - Prop 39 Established the Requirement for an Oversight Committee to Satisfy Accountability Requirements:
    - To Review Bond Expenditures and Annual Audits
    - To Receive Information and Ask Questions of Staff
    - To Tour Facilities Funded by Bonds
    - To Provide an Annual Report to the Board of Trustees on Activity
    - To Provide Input to a Report to the Community

# INDEPENDENT CITIZENS' BOND OVERSIGHT COMMITTEE BYLAWS - ROLES AND RESPONSIBILITIES

## ■ **Membership**

- The Committee Shall Consist of a Minimum of Seven (7) Members Appointed by the Board of Trustees
  - 1 Student Enrolled in College of the Canyons
  - 1 Member Active in a Business Organization Representing the Local Business Community
  - 1 Member Active in a Senior Citizens' Organization
  - 1 Member Active in a Bona-fide Taxpayers Association
  - 1 Member Active in a Support Organization of the College (COC Foundation)
  - 2 Members of the Community At-Large

# INDEPENDENT CITIZENS' BOND OVERSIGHT COMMITTEE BYLAWS - ROLES AND RESPONSIBILITIES

## ■ Term

- Commencing the Date of Appointment by the Board of Trustees:
  - At the Committee's First Meeting, Lots Will Be Drawn To:
    - Select a Minimum of 2 Members to serve for an Initial (1) One Year Term
    - Select the Remaining Members to Serve An Initial (2) Two Year Term
  - No Member May Serve More Than (3) Three Consecutive Terms
  - Staggered Terms Prevents Entire Committee From Terming Out at the Same Time and Retains Expertise and Knowledge
  - Members Whose Terms Have Expired May Continue to Serve on the Committee Until a Successor Has Been Appointed

# INDEPENDENT CITIZENS' BOND OVERSIGHT COMMITTEE BYLAWS - ROLES AND RESPONSIBILITIES

## ■ **Inform the Public**

- Inform the Public Regarding the District's Expenditure of Bond Proceeds
  - The Chair Acts on Behalf of the Committee and Only Releases Information That Reflects the Majority View of the Committee
  - The Chair Communicates Officially with the Board of Trustees and/or the Public

## ■ **Review Expenditures**

- The Committee Reviews Expenditure Reports Produced by the District to Ensure That:
  - Bond Proceeds Were Expended Only for the Purposes Set Forth in Measure M and Measure E for Projects Authorized by the Ballot Language;
  - Bond Proceeds Were Not Used for Administrative or Teacher Salaries; and,
  - Bond Proceeds Comply with the Attorney General Opinion 04-110, Issued November 9, 2004
    - "But for" Measure M or E, the service or expenditure would not occur.

## ■ **Annual Reports**

- The Committee Shall Present to the Board of Trustees in Public Session an Annual Report That Includes:
  - A Statement That the District is in Compliance with Bond Expenditure Requirements
  - A Summary of the Committee's Proceedings and Activities for the Preceding Year

# INDEPENDENT CITIZENS' BOND OVERSIGHT COMMITTEE BYLAWS - ROLES AND RESPONSIBILITIES

## ■ **Authorized Activities – Other Committee Duties**

- Receive and Review Annual Financial and Performance Audits for General Obligations Bonds
  - No Later Than March 31
- Receive and Review District Responses to Any Audit Findings
- Review Bond Expenditures
- Review Copies of Scheduled Maintenance Plan
- Tour Facilities For Which Bond Funds Have Been Expended
- Review Cost-Saving Measures by District to Maximize Bond Proceeds
  - State Match Funding, etc.
- Put the Interest of the District Before Your Own
  - Ethics Policy



# INDEPENDENT CITIZENS' BOND OVERSIGHT COMMITTEE BYLAWS - ROLES AND RESPONSIBILITIES

## ■ **Duties of the Board/Chancellor**

- The Following Responsibilities are Assigned to the Board/Chancellor:
  - Approval of Contracts
  - Approval of Change Orders
  - Expenditures of Bond Funds
  - Handling of Legal Matters
  - Approval of Project Plans and Schedules
  - Approval of All Deferred Maintenance Plans
  - Approval of the Sale of Bonds

# INDEPENDENT CITIZENS' BOND OVERSIGHT COMMITTEE BYLAWS - ROLES AND RESPONSIBILITIES

## ■ **District Support**

- The District Shall Provide the Committee with the Necessary Technical and Administrative Assistance
  - Schedule Regular Committee Meetings At Least Once a Year With An Annual Organizational Meeting In November
  - Post Public Notice of Meetings in Compliance with Brown Act
  - Provide a Meeting Room and Any Necessary Audio/Visual
  - Prepare Copies of Meeting Materials, Including Agenda and Minutes
  - Retain Records and Provide Public Access
  - Establish and Maintain District Website
    - Monitor and Update Content Based on Feedback From Committee