1. **COMMITTEE ESTABLISHED.** The Butte-Glenn Community College District (the “District”) was successful at the election conducted on March 5, 2002 (the “Election”), in obtaining authorization from the District’s voters to issue up to $84,900,000 aggregate principal amount of the District’s general obligation bonds (“Measure A”), pursuant to a greater than 55% vote. 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 Board of Trustees of the Butte-Glenn Community College District (the “Board”) established the Measure A Citizens’ Oversight Committee (the “Committee”) at the regularly scheduled meeting held on May 22, 2002, in order to satisfy the accountability requirements of Prop 39. The Committee shall have the duties and rights set forth in these Bylaws. The Committee does not have independent legal capacity of the District.

2. **PURPOSE.** 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 purpose of the Committee is to inform the public concerning the District’s expenditure of revenues received from the proceeds of general obligation bonds issued pursuant to the Election (“bond proceeds”). The Committee’s work will be centered specifically on bond proceeds generated under Measure A.

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

   3.1. **Inform the Public.** The Committee shall inform the public concerning the District’s expenditure of bond proceeds.

   3.2. **Review Expenditures.** The Committee may 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; (c) bond proceeds are maximized.

   3.3. **Annual Report.** The Committee shall present at least once a year to the Board, in public session, a written report which shall include the following: (a) A statement indicating whether the District is in compliance with the requirements of Article XIIIA, Section 1(b)(3) of the California Constitution, and (b) A summary of the Committee’s proceedings and activities for the preceding year.

4. **AUTHORIZED ACTIVITIES.**

   4.1. In order to perform the duties set forth in Section 3, 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 college facilities and grounds for which bond proceeds have been or will be expended, in accordance with any access procedure established by the District.

      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 cost-saving measures.

   4.2. Make requests for copies or inspection of District records in writing to the District’s Vice President of Administration.
5. **MEMBERSHIP.**

5.1. **Number.** The committee shall consist of a minimum of seven (7) members appointed by the Board of Trustees based on criteria established by Prop 39, to wit:

a. One (1) member active in a business organization representing the business community located in the District;

b. One (1) member active in a senior citizens’ organization,

c. One (1) member active in a bona fide taxpayers’ organization;

5.2. **QUALIFICATION STANDARDS.**

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

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 Articles 4 (commencing with Section 1090) and 4.7 (commencing with Section 1125) of Division 4 of Title 1 of the Government Code. Additionally, each member shall comply with the Committee Ethics Policy attached as Attachment A to these Bylaws.

5.4. **TERM.** Except as otherwise provided herein, each member shall serve a term of two (2) years, beginning July 1. No member may serve more than two (2) consecutive terms. At the Committee’s first meeting, members will draw lots to select a minimum majority for an initial three (3) year term and the remaining members for an initial two (2) year term.

5.5. **APPOINTMENT.** Members of the Committee shall be appointed by the Board through the following process: (a) appropriate local groups and individuals will be solicited for applications; (b) the Superintendent/President or its designee will review the applications; (c) the Superintendent/President or its designee will make recommendations for subsequent Board approval.

5.6. **REMOVAL; VACANCY.** The Board may remove any Committee member for any reason, 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 shall fill by appointment any vacancies on the Committee or any additional membership on the Committee.

5.7. **COMPENSATION.** The Committee members shall not be compensated for their services.

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 will generally meet four times each year in July, October, January, and April.

6.2. **Location.** All meetings will be held within the District, located in Butte and Glenn Counties, California.

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.

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 website maintained by the District Board.

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.

8. **REPORTS.** In addition to the Annual Report required in Section 3.3, the Committee shall report minutes of its regular meetings. Such report shall be in writing and shall summarize the proceedings and activities conducted by the Committee. The Committee may report to the Board from time to time in order to advise the Board on the activities of the Committee.

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 consecutive terms.

10. **AMENDMENT OF BYLAWS.** Any amendment to these Bylaws shall be approved by a majority vote of the entire Board.

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.
Attachment A
Measure A Citizens’ Oversight Committee
Ethics Policy Statement

This Ethics Policy Statement provides general guidelines for Committee members to follow while carrying out their roles. Not all ethical issues faced by Committee members 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 a personal finance 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) any 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 Butte-Glenn Community College District.

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