



**Peralta Community College District**  
**Bond and Parcel Tax**  
**Citizens Oversight Committee:**  
***Roles and Responsibilities***



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# Before Prop 39

- **2/3 voter approval** needed for local bond measures
- **Board of Trustees** was responsible for oversight on expenditures
- **More than 40% of bond measures failed**, resulting in dilapidated school facilities in some jurisdictions
- From 1986 through 1999, 450 school districts sponsored 731 general obligation bond elections. 54% of the 731 passed.



# What Did Prop 39 Do?

- **State ballot initiative - November 7, 2000**
- **Amended CA Constitution to allow for 55% voter approval for school construction bond measures with certain accountability measures**
- **Required Citizens Oversight Committees for Prop 39 measures**
- **Over 80% of Prop 39 measures passed since its approval**



# Composition of COC

**Prop 39 requires the COC to have at least seven members, including:**

- **One member “active in a business organization”**
- **One member “active in a senior citizens’ organization”**
- **One member “active in a bona fide taxpayers’ organization”**
- **One student member in an active college group**
- **One member active in the support and organization of at least one District college**



# Composition of COC

**Peralta CCD's COC consists of 8 members, including these additional persons:**

- **Two members of the community at-large**
- **One member representing a Non-Peralta Labor Organization**
- **COC members cannot be employees or officials of the District and cannot be vendors, contractors or consultants for the District**
- **Board cannot appoint a member who has a conflict of interest**



# Role of the COC

- **To inform the public concerning the expenditure of bond revenues**
- **To review and report on the District's proper expenditure of taxpayers' money for school construction projects**
- **To advise the public as to the District's compliance with requirements of the applicable measures and constitutional requirements.**



# Role of the COC

## The COC *does not*:

- **Approve**
- **Consent**
- **Authorize**
- **Endorse**
- **Deny**
- **Reject**



# The District's Governing Board:

- **Authorizes the budget, scope, schedule & location for projects**
- **Approves selection of architects, engineers & other vendors**
- **Approves contracts**
- **Accepts completed projects**
- **Audits expenditures and ensures they are appropriate**
- **Provides administrative assistance to the COC**





# COC's Responsibility to Inform

- **COC receives reports produced by the District and asks questions as needed to ensure that proceeds are expended only for the purposes set forth in the measures put to the voters**
- **COC then informs the public concerning the District's expenditures of bond proceeds**
  - **Through reports (at least one annually)**
  - **Special webpage on District website**
  - **Periodic meetings**



# Authorized Activities

- Receive & review the District's annual independent performance and financial audits;
- Inspect facilities, grounds and programs related to bond and/or parcel tax expenditures, in accordance with District procedures;
- Review copies of deferred maintenance proposals or relevant plans developed by the District;
- Review efforts by the District to maximize bond or parcel tax proceeds by implementing cost-saving measures.



Then make public reports about your activities...

# COC Meetings

- **Must be open to the public and in compliance with the Brown Act.**
- **Notice to the public shall be provided in the same manner as the proceedings of the Board of Trustees.**
- **Meeting minutes and all documents received and reports issued are a matter of public record and will be made available on an Internet website maintained by the District.**



# More on the Brown Act

## Holding “public” meetings means:

- Your meetings must be held in an accessible room
- An agenda must be posted either 72 or 24 hours in advance of your meeting
- You must allow members of the public a reasonable time to make comments on matters within your jurisdiction
- You must not discuss matters not appearing on the agenda



# More on the Brown Act

**Your meetings must not be held in private. That means:**

- **A quorum of you cannot discuss business together**
- **No serial meetings eventually involving a quorum**
- **No online discussions eventually involving a quorum (e.g., email)**



# Complying with the Brown Act

- **Feel free to ask staff questions in advance of meetings**
- **Follow the advice of staff before interacting in any way with your fellow COC members about district business**
- **You can still talk to members of the District's Board of Trustees about concerns, just don't claim to be speaking for the COC as a whole (unless the COC has authorized that communication during a public meeting)**



# Ethics

- By agreeing to serve on the COC, you are agreeing to comply with the CA Political Reform Act, which requires the filing of disclosure statements of your financial interests (“Form 700”)
- Form 700s must be submitted upon taking office and then by April 1<sup>st</sup> of each year and are public documents open to inspection upon demand
- Each COC Member must also comply with the District/Board ethics policies



# Questions?

