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
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
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.
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…
• 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.
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\textsuperscript{st} 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?