

**INDEPENDENT CITIZENS' BOND OVERSIGHT COMMITTEE
AMENDED AND RESTATED BYLAWS**

Section 1. Committee Established.

The State Center Community College District (the "District") was successful at the election conducted on November 5, 2002 (the "Measure E Election"), in obtaining authorization from the District's voters to issue up to \$161,000,000 aggregate principal amount of the District's general obligation bonds. On June 7, 2016 the District was successful in obtaining authorization from the District's voters to issue up to \$485,000,000 aggregate principal amount of the District's general obligation bonds (the "Measure C Election"). The Measure E Election and the Measure C Election are hereinafter referred to collectively as the "Elections." Both Elections were 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 District is obligated to establish an Independent Citizens' Bond Oversight Committee in order to satisfy the accountability requirements of Prop 39. The Board of Trustees of the State Center Community College District is hereby authorized to establish the Independent Citizens' Bond Oversight Committee.

3.2 Review Expenditures. The Committee shall review expenditure reports produced by the District to ensure that (a) bond proceeds were expended only for the purposes set forth in Measure E and Measure C; and (b) no bond proceeds were used for any teacher or administrative salaries or other operating expenses, in compliance with Attorney General

- (e) The selection of independent audit firm(s), performance audit consultants and such other consultants as are necessary to support the activities of the Committee.
- (f) The approval of an annual budget for the Committee that is sufficient to carry out the activities set forth in Prop 39 and included herein.
- (g) The appointment or reappointment of qualified applicants to serve on the Committee.

Section 4. Authorized Activities.

- 4.1 In order to perform the duties set forth in Section 3.0, the Committee may engage in the following authorized activities:
 - (a) Receive copies of the District's annual, independent performance audit and annual, independent financial audit required by Prop 39 (Article XIII A of the California Constitution) (together, the "Audits") at the same time said Audits are submitted to the District, no later than March 31 of each year, and review the Audits.
 - (b) Inspect District facilities and grounds for which bond proceeds have been or will be expended, in accordance with any access procedure established by the District's Vice Chancellor, Finance and Administration or Vice Chancellor of Operations and Facilities.
 - (c) Review copies of deferred maintenance proposal, facilities master plan, or plans

5.5 Appointment. Members of the Committee shall be appointed by the Board through the following process:

- (a) The District will advertise in the local newspapers, on its website, and in other customary forums, as well as solicit appropriate local groups for applications;
- (b) The Chancellor or his or her designee will review the applications; and
- (c) The Chancellor or his or her designee will make recommendations to the Board.

5.6 Removal; Vacancy. The Board may remove any Committee member for any reason, including failure to attend two consecutive Committee meetings without reasonable excuse 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, in accordance with the established appointment process shall fill any vacancies on the Committee. The Board shall seek to fill vacancies within 90 days of the date of occurrence of a vacancy.

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

5.8 Authority of Members.

- (a) Committee members shall not have the authority to direct staff of the District;
- (b) Individual members of the Committee retain the right to address the Board, either on behalf of the Committee or as an individual; and
- (c) The Committee shall not establish sub-committees for any purpose; and
- (d) The Committee shall have the right to request and receive copies of any public records relating to projects funded by Measure E and Measure C.

Section 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 November.

6.2 Location. All meetings shall be held within the boundaries of the State Center Community College District, located in Fresno, Kings, Madera and Tulare Counties, California.

6.3 Procegisrwsfornyca Nam C6 (of)10.1 .063a (.)4 (T)0.5 (h)14.4 (e C)14.8 (bhrnib(v)10.4 (e)-3.9 (bh

- (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, teleconference or electronic capabilities;
- (c) Preparation, translation 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.

7.2 District staff and/or District consultants shall attend all Committee proceedings in order to report on the status of projects and the expenditures of bond proceeds.

Section 8. Reports.

In addition to the Annual Report required in Section 3.3, the Committee may report to the Board at least semi-annually in order to advise the Board on the activities of the Committee. Such report shall be in writing and shall summarize the proceedings and activities conducted by the Committee.

Section 9. Officers.

The Chancellor shall appoint the initial Chair to serve an initial term of one year as Chair. Thereafter, the Committee shall elect the Chair. The Committee shall elect a vice-chair who shall act as chair only when the chair is absent. No person shall serve as chair for more than two consecutive terms.

Section 10. Amendment of Bylaws.

Any amendment to these Bylaws shall be approved by a majority vote of the Board.

Section 11. Termination.

The Committee shall automatically terminate and disband concurrently with the Committee's submission of the final Annual Report which reflects the final accounting of the expenditure of all monies authorized by Measure E and Measure C, respectively.

