

**RESOLUTION NO. -**

**RESOLUTION OF THE BOARD OF EDUCATION  
OF WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT  
DECOMMISSIONING THE CURRENT CITIZENS' BOND OVERSIGHT  
COMMITTEE FOR GENERAL OBLIGATION BONDS, ESTABLISHING A NEW  
CITIZENS' BOND OVERSIGHT COMMITTEE, ADOPTING BYLAWS THEREFOR  
AND APPOINTING MEMBERS THEREOF**

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WHEREAS, the West Contra Costa Unified School District (the "District") has heretofore received approval authorizing the issuance of not to exceed \$575,000,000 aggregate principal amount of general obligation bonds of the District was authorized at an election held in said District on March 3, 2020, by a vote of 58.7%, the proceeds of which are to be used for the construction, reconstruction, rehabilitation and replacement of District facilities, including the furnishing or equipping of District facilities, or the acquisition or lease of real property for District facilities (the "2020 Authorization");

WHEREAS, the District has previously received approval authorizing the issuance of general obligation bonds pursuant to other measures approved by the voters within the District at prior elections, including on March 5, 2002, November 8, 2005, June 8, 2010, and November 6, 2012 (collectively, the "Prior Authorizations");

WHEREAS, each of the elections pursuant to which an Authorization was granted 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 California Education Code ("Proposition 39"); and

WHEREAS, this District Board also hereby desires to confirm the appointment of the Committee, to oversee the expenditure of proceeds of any future authorization of General Obligation Bonds wherein the election was conducted under Proposition 39 (a "Future Authorization" and, together with the Prior Authorizations and the 2020 Authorization, the "Authorizations"); and

WHEREAS, the Board of Education of the District (the "Board") established and confirmed a Citizens' Bond Oversight Committee (the "Prior Committee") to oversee the expenditures of proceeds of general obligation bonds issued under Proposition 39; and

WHEREAS, the Board has from time to time adopted additional resolutions regarding the Prior Committee's oversight of the Prior Authorizations, including Resolution No. 83-1920, adopted on April 8, 2020, pursuant to which the Prior Committee was granted oversight of general obligation bonds issued pursuant to the 2020 Authorization and members were appointed thereto; and

WHEREAS, beginning with the election of November 2020, voters in the District elect members to the Board by geographic area, the boundaries of which are drawn and approved by an independent commission pursuant to California Education Code Sec. 23000 *et seq.*; and

WHEREAS, the current COVID-19 pandemic has caused the Board to reevaluate and rebalance its priorities, including priorities for financing of capital projects and the structure and responsibilities of Board Committees and Advisory Committees; and

WHEREAS, in connection with the restructuring of Board Committees and Advisory Committees in the District, this Board desires to dissolve the Prior Committee and establish a new Citizens' Bond Oversight Committee, which the Board desires to oversee the expenditures of proceeds of general obligation bonds issued pursuant to the Authorizations (the "Committee"); and

WHEREAS, the Committee shall operate pursuant to bylaws approved by the Board in the form of Exhibit A, New Board Policy 7214.2 hereto (the "Bylaws"); and

WHEREAS, this Board hereby desires to appoint the members of the Committee whose membership meets the requirements of Proposition 39; and

**NOW THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED** by the Board of Education of the West Contra Costa Unified School District as follows:

Section 1. Recitals. All of the foregoing recitals are true and correct.

Section 2. Dissolution of Prior Committee. This Board hereby determines that it is appropriate to take action to terminate and dissolve the Prior Committee at this time, and the Prior Committee is hereby terminated and dissolved, within 90 days of the adoption of this Resolution. The bylaws of the Prior Committee, currently designated as Board Policy 7214.2, are hereby rescinded in their entirety.

Section 3. Establishment of Committee. The Committee is hereby established as an independent citizens' bond oversight committee pursuant to and for the purposes set forth in Proposition 39.

Section 4. Bylaws of Committee. The Committee shall operate pursuant to the Board approved Bylaws. The Committee shall have only those responsibilities granted to them under Proposition 39 and in the Bylaws. The Bylaws, as submitted herewith and attached as Exhibit A hereto, are hereby approved.

Section 5. Appointment of Committee Members. The District Board hereby appoints members to the Committee for the positions listed on Exhibit B. The Committee shall have oversight over general obligation bonds issued pursuant to the Authorizations as further described in the Bylaws. Terms served on the Prior Committee shall not count as a term served on the Committee.

Section 6. Authorization of Further Acts. The members of this Board, the Superintendent, the Associate Superintendent, Business Services, the Associate Superintendent,

Maintenance and Operations, any deputy or assistant to any of them, and all other staff or officers of the District are hereby authorized and directed, individually and collectively, to do any and all things necessary or advisable in order to effectuate the purposes of this Resolution.

Section 7. Effective Date. This Resolution shall take effect immediately upon its adoption.

ADOPTED, SIGNED AND APPROVED this xxth day of \_\_\_\_\_ 2021, by the Board of Education of the West Contra Costa Unified School District of Contra Costa County, State of California, at a regularly scheduled meeting held in Richmond, California:

AYES: \_\_\_\_\_

NOES: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_

ABSENT: \_\_\_\_\_

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT**

By: \_\_\_\_\_  
President, Board of Education

Attest:

By: \_\_\_\_\_  
Clerk, Board of Education

**EXHIBIT A**

**CITIZENS' BOND OVERSIGHT COMMITTEE BYLAWS**

**EXHIBIT B**

The following persons are hereby appointed positions of the West Contra Costa Unified School District Citizens’ Oversight Committee:

Name	Statutory Requirement Filled <sup>1</sup>
	Member Active in the Local Business Community
	Member Active in a Senior Citizen’s Organization
	Member Active in a Bona-fide Taxpayer Organization
	Parent or Guardian of a Child who is Enrolled in the District
	Parent or Guardian of a Child Enrolled in the District and Active in a Parent-Teacher Organization
	Member of the Community at Large Appointed by the Board
	Member of the Community at Large Appointed by the Board

Term 1 for all individuals listed above shall commence on or before October 1, 2021. To balance out terms ongoing, the initial terms shall be split with 4 members serving a two-year appointment, and the remaining 3 members serving 1 year. The Board shall select the division of terms upon the initial appointments

The Board shall move forward each year to approve or ratify the new terms of members of the Committee and each shall be limited to the statutory requirements, currently being that no member may serve more than 3 consecutive terms, with the newly formed Committee based upon the adopted Bylaws. After a period of absence from the Committee of at least one year, terms previously served by a member on the Committee are not considered “consecutive,” and such member shall be eligible to reapply for the Committee and be appointed to the Committee upon the Board’s approval.

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<sup>1</sup> Section 15278 of the California Education Code