PERALTA COMMUNITY COLLEGE DISTRICT
333 East Eighth Street, Oakland, CA 94606
RESOLUTION NO. 12/13-20

A RESOLUTION ORDERING THE ESTABLISHMENT OF A CITIZENS' OVERSIGHT COMMITTEE FOR OVERSIGHT OF MEASURE B EXPENDITURES

WHEREAS, our local community colleges—Berkeley City College, College of Alameda, Laney College and Merritt College—provide our community's students with a high quality education that prepares them to transfer to four-year universities and compete for future careers;

WHEREAS, as the cost of four-year colleges continues to rise, community colleges serve as an essential safety net for students;

WHEREAS, after years of cuts from the State, our community colleges were faced with a significant budget shortfall, forcing our colleges to significantly reduce the number of courses that are offered to our constituents;

WHEREAS, the Board of Trustees of Peralta Community College District ("the Board of Trustees") placed on the June 5, 2012 election ballot a special tax to maintain and enhance quality education for the students of Peralta Community College District ("District");

WHEREAS, the Board of Trustees submitted Measure B, a special tax with a commitment to establish a citizens' oversight committee;

WHEREAS, Measure B was approved by approximately 73% of the voters;

NOW THEREFORE, THE BOARD OF TRUSTEES OF PERALTA COMMUNITY COLLEGE DISTRICT HEREBY RESOLVES, DETERMINES, AND ORDERS THE FOLLOWING:

Section 1. The establishment of an independent Citizens' Oversight Committee ("Committee") which shall monitor and report annually on all expenditures funded by Measure B, attached hereto as Exhibit A, to ensure that those funds are spent in accordance with the purposes of Measure B. To ensure independence and proper oversight, the Measure B Citizens' Oversight Committee shall be modeled to the extent applicable to a parcel tax program after the General Obligation Measure A Citizens' Oversight Committee under Proposition 39, California Education Code Section 15278 et seq.

The purpose of the committee shall be to inform the public concerning expenditure of Measure B tax revenues. The Committee shall actively review and report on the proper

expenditure of Measure B tax revenues annually to the community at a public Board of Trustees meeting on how these funds have been spent.

Section 2. While consisting of a minimum of at least eight members, the Committee shall be comprised as follows: (1) One member shall be active in a business organization representing the business community located within the District, (2) One member shall be active in a senior citizens' organization, (3) One member shall be active in a bona fide taxpayers' organization, and (4) One member shall be active in a non-Peralta labor organization.

Section 3. Any member of the community-at-large shall be eligible to be appointed to the Committee, irrespective of their citizenship status. No employee or official of the District shall be appointed to the Committee. No vendor, contractor, or consultant of the District shall be appointed to the Committee. Members of the Committee shall abide by all applicable prohibitions contained in Article 4 (commencing with Section 1090) and Article 7.7 (commencing with section 1125) of Division 4 of Title 1 of the Government Code.

Section 4. The Committee shall convene to provide oversight for, but not be limited to, the following: (a) Ensuring that tax revenues are expended only for the purposes described in Measure B and (b) Ensuring that, no funds are used for administrative salaries or benefits.

Section 5. In furtherance of its purpose, the Committee may engage in any of the following activities:

(a) Receiving and reviewing copies of the annual audit and other financial documents and reports that may provide assurance that funds have only been expended for the purposes allowed under Measure B, and

(b) Receiving and reviewing copies of the Annual Report produced by the Chancellor on behalf of the Board of Trustees.

Section 6. To vacate and finalize its oversight no later than June 30, 2020 with a final presentation to the Board of Trustees after review of the Annual Report.

Section 7. To adopt best practices and effectively respond to changing circumstances, the Board reserves the right to amend this Resolution to the extent allowed by law.

PASSED AND ADOPTED this 11th day of December 2012 by the following called votes:

AYES:	Trustees Brown, González Yuen, Gulassa, Handy, Riley, and Withrow.
NOES:	None.
ABSTAIN:	None.
ABSENT:	Trustee Guillén.

Secretary of the Board of Trustees
Peralta Community College District
Alameda County
State of California

EXHIBIT A

(to Resolution 12/13-19)

FULL TEXT OF SPECIAL TAX MEASURE

INTRODUCTION

To provide College of Alameda, Laney College, Merritt College and Berkeley City College secure funds that cannot be taken by the state, and support affordable college education including: providing core academic programs including math, science and English; training students for successful careers; and educating students to transfer to university; shall Peralta Community College District levy $48 per parcel annually for 8 years with Citizens' Oversight, no funds for administrators' salaries, and all funds spent in our college district?

Tax - Yes Tax - No

This Measure provides the additional funding required to protect and maintain Peralta Community College District's high-quality educational programs.

PURPOSES

If two thirds of those voting approve this Measure, Peralta Community College District (the "District") will be authorized to levy a special tax to (1) provide the College of Alameda, Laney College, Merritt College, and Berkeley City College secure funds that cannot be taken away by the State, and (2) support affordable college education for the following purposes:

A. Protect and maintain core academic programs including math, science, and English;
B. Train students for successful careers; and
C. Prepare students for transfer to four-year universities.

The Board of Trustees will fund all of the programs listed above, unless it determines in any given year that changes in student population, fiscal constraints, or other changes in state or federal funding make doing so infeasible or inadvisable. The Board of Trustees will not be allowed to use the proceeds of the special tax to fund any program other than those listed above, and will not be allowed to use those proceeds for administrators' salaries or benefits.

The special tax will be levied for a period of eight (8) years, beginning July 1, 2012, at the rate shown below, on each assessor's parcel located wholly or partly within the District.

RATE

The special tax shall be levied on all parcels of property in the District, except where those parcels are otherwise exempt from taxation. The tax levied shall be at the rate of Forty-eight Dollars ($48) per parcel per year, on all residential, commercial, industrial and institutional parcels, irrespective of whether those parcels are improved or unimproved.

ACCOUNTABILITY AND COMPLIANCE MEASURES

In accordance with the requirements of Sections 50075.1 and 50075.3 of the Government Code, the following accountability measures, among others, shall apply to the special taxes levied in accordance with this Measure:

(a) Proceeds from the special tax shall be deposited into a resource fund which shall be kept separate and apart from other funds in the District and shall be applied only as set forth in this Measure.

(b) An Annual Report, including proceeds from the special tax, the expenditures of those monies and the status of any projects funded by those monies, shall be produced by the Chancellor on behalf of the Board of Trustees no later than January 1 of the year following the fiscal year during which the monies were spent.

EXHIBIT B

SPECIAL TAX MEASURE
For
PERALTA COMMUNITY COLLEGE DISTRICT
(Abbreviated Form) *

To provide College of Alameda, Laney College, Merritt College and Berkeley City College secure funds that cannot be taken by the state, and support affordable college education including: providing core academic programs including math, science and English; training students for successful careers; and educating students to transfer to university; shall Peralta Community College District levy $48 per parcel annually for 8 years with Citizens' Oversight, no funds for administrators' salaries, and all funds spent in our college district?

Tax - Yes Tax - No

*Limited to 75 words pursuant to Section 13247 of the Elections Code