

CHABOT LAS-POSITAS COMMUNITY COLLEGE DISTRICT

RESOLUTION NO. 04-1617

RESOLUTION OF THE BOARD OF TRUSTEES OF THE CHABOT LAS-POSITAS COMMUNITY COLLEGE DISTRICT APPROVING AMENDED AND RESTATED BYLAWS FOR THE CHABOT-LAS POSITAS COMMUNITY COLLEGE DISTRICT INDEPENDENT CITIZENS' BOND OVERSIGHT COMMITTEE

WHEREAS, the Board of Trustees of the Chabot-Las Positas Community College District (the "District") previously adopted a resolution requesting Alameda and Contra Costa Counties, California (collectively, the "Counties") to call an election for general obligation bonds (the "2004 Election") held on March 2, 2004; and

WHEREAS, notice of the 2004 Election was duly given; and on March 2, 2004, the 2004 Election was duly held and conducted for the purpose of voting on a measure for the issuance of bonds of the District in the amount of \$498,000,000 ("Measure B"); and

WHEREAS, based on the Canvass and Statement of Results for the Counties, more than fifty-five percent of the votes cast on Measure B were in favor of issuing the aforementioned bonds; and

WHEREAS, the Board of Trustees of the District previously adopted a resolution requesting the Counties to call an election for general obligation bonds (the "2016 Election," and together with the 2004 Election, the "Bond Elections") held on June 7, 2016; and

WHEREAS, notice of the 2016 Election was duly given; and on June 7, 2016, the 2016 Election was duly held and conducted for the purpose of voting a measure for the issuance of bonds of the District in the amount of \$950,000,000 ("Measure A"); and

WHEREAS, based on the Canvass and Statement of Results for the Counties, more than fifty-five percent of the votes cast on Measure A were in favor of issuing the aforementioned bonds; and

WHEREAS, the Board of Trustees of the District (the "Board") previously has established an independent citizens' bond oversight committee (the "Committee") in connection with issuance of bonds under Measure B; and

WHEREAS, the Board has also previously approved Bylaws governing such Committee; and

WHEREAS, the Board now desires to further amend and restate such Bylaws, in whole, and establish a new Bond Oversight Committee for both Measure A and Measure B (so amended and restated, the “Amended and Restated Bylaws”).

NOW, THEREFORE, THE BOARD OF TRUSTEES OF THE CHABOT-LAS POSITAS COMMUNITY COLLEGE DISTRICT DOES HEREBY FIND, DETERMINE AND CERTIFY AS FOLLOWS:

Section 1. Authorization. Measure B and Measure A were authorized pursuant to paragraph (3) of subdivision (b) of Section I of Article XIII A of the California Constitution and subdivision (b) of Section 18 of Article XVI of the California Constitution in accordance with the requirements of the Strict Accountability In Local School Construction Bonds Act of 2000 (the “Act”).

Section 2. Expansion of Role of Committee. The role of the existing Independent Citizens’ Bond Oversight Committee (the “Committee”) of the District is hereby expanded for the purposes set forth in the Act to oversee both Measure B and Measure A.

Section 3. Amended and Restated Bylaws. The Committee shall operate pursuant to the Board approved Amended and Restated Bylaws. The Committee shall have only those responsibilities granted to them in the Act, in the resolutions calling for the respective Bond Elections and in the Amended and Restated Bylaws. The Amended and Restated Bylaws, as submitted herewith and attached hereto are hereby approved. The previous Bylaws related to Measure B are rescinded and of no further force and effect.

Section 4. Other Actions. Officers of the Board and members of the Committee established hereunder are hereby authorized and directed, jointly and severally, to do any and all things and to execute and deliver any and all documents which they may deem necessary or advisable in order to give effect to and comply with the terms and intent of this Resolution. Such actions heretofore taken by such officers, officials and staff are hereby ratified, confirmed and approved.

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PASSED AND ADOPTED by a Roll Call Vote this 18th day of October, 2016 by the Governing Board of Chabot-Las Positas Community College District of Alameda County, State of California.

AYES:

NOES:

ABSENT:

ABSTENTIONS:

BOARD OF TRUSTEES OF THE CHABOT-LAS
POSITAS COMMUNITY COLLEGE DISTRICT

President

ATTEST:

Secretary

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STATE OF CALIFORNIA)

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ALAMEDA COUNTY)

I, Secretary of the Governing Board of Chabot-Las Positas Community College District of Alameda County, State of California, do hereby certify that the foregoing Resolution No. 04-1617 is a full, true and correct copy which was duly adopted by the Board of Trustees of the Chabot-Las Positas Community College District at a regular meeting thereof held on the 18th day of October, 2016 and the resolution is on file in the office of said Board.

By: _____

Secretary of the Board of Trustees
Chabot-Las Positas Community College District
County of Alameda
State of California