

**BYLAWS AND RULES OF PROCEDURE OF THE  
MEASURE K OVERSIGHT COMMITTEE**

BACKGROUND

In November 2022, Kern County voters passed a one cent sales and use tax officially titled Measure K. The tax took effect on April 1, 2023.

Measure K requires the appointment of a Citizens Oversight Committee comprised of residents of the unincorporated area to review the expenditure of revenues generated by the tax imposed by the Measure K ordinance and to advise the County Administrative Office and the Board of Supervisors. These Bylaws and Rules of Procedure (“Bylaws”) set forth the operating procedures and duties of the Measure K Oversight Committee (“Committee”) and are effective as of their adoption by the Committee. On adoption, these Bylaws are to be filed with the Clerk of the Board of Supervisors.

ARTICLE I  
Duties of the Committee

Section 1. Measure K Citizens Oversight Committee Powers and Duties:

- 1) The Committee exists to aid in transparency and oversight of the revenue generated by Measure K and to oversee compliance with the enacting ordinance approved by the voters. Any concerns over compliance must be established by a majority vote of the Committee and shall be submitted in writing to County Counsel and the County Administrative Officer.
- 2) Oversight powers and duties of the Committee are limited to only funds generated by Measure K.
- 3) The Committee duties will consist of reviewing the annual budgeted uses of Measure K revenues as a part of the County’s annual budget process, the annual independent audit performed by the independently elected Kern County Auditor-Controller on the Measure K generated revenue and expenses during the previous fiscal year, as well as other County financial reports related to Measure K which may be produced from time to time.
- 4) The Committee may advise the County Administrative Office and Board of Supervisors regarding the Committee’s views on how best to utilize the tax revenues within the unincorporated area or for the benefit of those that live within the unincorporated area.

- 5) The duties of the Committee do not include decision-making responsibilities regarding items such as budgeting, project details, spending priorities, funding source decisions, financing plans, etc. The Committee serves in an advisory-only role to the Kern County Board of Supervisors limited to the use and oversight of Measure K revenues and expenditures.
- 6) The Committee is subject to all Kern County policies, procedures, resolutions, and the ordinance code.

## ARTICLE II Membership and Terms of Service

Section 1. The Committee shall be comprised of five (5) members of the community. Members shall be at least 18 years of age and reside within unincorporated County of Kern for the duration of their term. Residency will be verified annually, or more often as needed to ensure compliance with this residency requirement, by the Clerk of the Board's office through: 1) Voter registration, 2) Utility bills (phone, water, cable), or 3) other means deemed acceptable by the Clerk.

Section 2. Committee members shall not be current County of Kern employees, members of the Kern County Board of Supervisors, or any other elected official of the County of Kern.

Section 3. Committee members are not prohibited from serving on other County Boards, Commissions, or Committees.

Section 4. The typical recruitment process that is used for other existing County boards, commissions and committees will be utilized to conduct the recruitment of applications for the Committee. Notice of these vacancies will be posted on the County's website and the Board of Supervisors meeting notice boards on an as-needed basis.

Section 5. The Supervisor for each supervisorial district shall appoint one (1) resident of the Supervisor's district to the Committee, from among the qualified applicants thereof.

Section 6. Each Committee member shall serve at the pleasure of their appointing Supervisor and may be removed from the Committee by their appointing Supervisor at any time.

Section 7. The terms of the Committee members shall be for a period of two (2) years from the date of appointment.

Section 8. There is no limit to the number of terms an individual may serve on the Committee.

Section 9. Upon expiration of a Committee member's term, the Committee position shall be immediately vacated and remain vacant until a successor Committee member has been appointed by the appointing Supervisor.

ARTICLE III  
Meetings and Quorum

Section 1. The Committee shall meet at least annually. Additional Committee meetings may be scheduled as necessary.

Section 2. The quorum requirement for any Committee meeting shall be a minimum of three (3) members.

Section 3. *Robert's Rules of Order*, latest revision, shall govern deliberations of the Committee in all cases in which they do not conflict with the Committee's bylaws as herein set forth, state bylaws or state laws (including the Ralph M. Brown Act).

Section 4. Committee decisions and actions require a simple majority vote of those members in attendance.

Section 5. The Committee shall elect a Chairperson and Vice Chairperson, to assist with the orderly conducting of Committee meetings. The Chairperson shall preside at Committee meetings. In the absence of the Chairperson, the Vice Chairperson shall perform the duties of the Chairperson. If both are absent, the Committee shall select a temporary Chairperson from the Committee members present.

Section 6. The Committee shall be subject to the provisions of the Ralph M. Brown Act. Accordingly, Committee meetings must be noticed and open to the public.

Section 7. Committee meeting agendas, minutes, and reports are a matter of public record and shall be posted on the County's website.

Section 8. Committee members are expected to attend all Committee meetings. Failure of the Committee members to attend Committee meeting(s) may result in removal from the Committee at the discretion of their appointing Supervisor.

ARTICLE IV  
Public Records Act and Political Reform Act

Section 1. Materials provided to the Committee are public records and will be provided in accordance with the Public Records Act.

Section 2. All Committee members shall attend training and orientation prior to the first regular Committee meeting, including Brown Act training and AB1234 Ethics Training.

Section 3. All Committee members shall submit FPPC Form 700, Statement of Economic Interests upon assuming office, annually, and upon leaving office.

ARTICLE V  
Committee Staffing

Section 1. The Chief Administrative Officer or his/her designee will serve as staff liaison(s) to the Committee.

Section 2. The staff liaison(s) will be responsible for providing relevant information to the Committee, including the annual budget and financial audit.

Section 3. The Clerk to the Board of Supervisors or his/her designee shall prepare, post, and distribute agendas and take minutes at each Committee meeting. The Clerk will provide the minutes of the Committee's proceedings to the Board of Supervisors and the public.

ARTICLE VI  
Committee Member Compensation

Section 1. There is no compensation of any kind for serving on the Committee.

ARTICLE VII  
Committee Dissolution

Section 1. The Committee shall be dissolved immediately and with no further actions required by the Board of Supervisors when the following criteria have been met.

- 1) The County is no longer receiving tax revenues generated from Measure K; and
- 2) All tax revenues collected by the County from Measure K have been expended.
- 3) A final annual independent audit performed by the independently elected Kern County Auditor-Controller on the Measure K generated revenue and expenses has been received and reviewed by the Committee.

\*Bylaws approved by the Measure K Citizens Oversight Committee on May 9, 2023.