

ATTACHMENT B

DRAFT MEASURE O INDEPENDENT OVERSIGHT COMMITTEE BYLAWS

SECTION I

COMMITTEE ESTABLISHED

The Rodeo-Hercules Fire Protection District (“RHFPD”) was successful at the election conducted on November 8, 2016, on Measure O, obtaining authorization from the RHFPD’s voters to impose a special tax of \$216 per parcel annually for the continued maintenance of local fire protection and emergency response within the City of Hercules, unincorporated Town of Rodeo and surrounding unincorporated areas (“RHFPD Area”). The RHFPD was annexed into the Contra Costa County Fire Protection District (the “District”) on July 1, 2025. As a result of the annexation, and pursuant to RHFPD Resolution No. 2016-04, the District is obligated to establish a 2016 Special Tax Funding Replacement Measure Independent Oversight Committee (“Measure O Committee” or “Committee”) in order to satisfy the accountability requirements of Measure O. In a resolution to be adopted on March 17, 2026, the Board of Directors of the Contra Costa County Fire Protection District (“Board”) intends to establish the Measure O Committee, which shall have the duties and rights, set forth in these Bylaws.

SECTION II

COMMITTEE’S MISSION

The mission of the Measure O Citizen’s Oversight Committee is to independently review and inform the public and the Board concerning (1) the collection and expenditure of parcel tax revenues, (2) the assurance that such revenues are expended in accordance with the intention of the voters, including that the revenues are dedicated to service of the RHFPD Area, and (3) status of any project required or authorized to be funded with these revenues.

SECTION III

NAME AND LOCATION

3.01 The name of the Committee will be the 2016 Special Tax Funding Replacement Measure Independent Oversight Committee (“Measure O Committee” or “Committee”).

3.02 The office of the Measure O Committee shall be located at the Contra Costa County Fire Protection District, located at 4005 Port Chicago Hwy, Suite 250, Concord, CA 94520.

SECTION IV

COMMITTEE ACTIVITIES

4.01 The Committee shall engage in any of the following activities in furtherance of its purpose:

1. Review the independent auditor's report and the Fire Chief's annual report required by Measure O concerning:

(a) the proper collection of Measure O revenue, including the deposit of such revenue into a separate account created by the District;

(b) the proper expenditure of Measure O revenues within the RHFPD Area, as set forth in Section 4 of the Ordinance enacted by Measure O:

The proceeds of the special tax funding replacement measure imposed by this ordinance shall be placed in a special account or fund to be used solely for any lawful purpose permissible to Fire Districts pursuant to California Health and Safety Code §13800 et seq., including but not limited to enhancing the level of fire prevention, emergency fire protection and paramedic response services through increasing staffing levels to operate and maintain the [RHFPD's] fire stations, maintaining and when necessary replacing fire protection and lifesaving equipment and apparatus to optimal levels of function and performance, and to fund capital improvements.

and;

(c) the status of any project required or authorized to be funded in accordance with the Ordinance enacted by Measure O.

2. Advise the Board through an Annual Report, and as otherwise directed by the Board, as to whether the District is in compliance with the requirements of Measure O. The Annual Report shall include, but not be limited to:

(a) a summary of the Committee's proceedings in the preceding fiscal year;

(b) a statement indicating whether the District has properly collected Measure O revenue, including the deposit of such revenue into a separate account created by the District; and

(c) a statement indicating whether the District's Measure O expenditures were in accordance with Measure O's stated purpose; and

(d) a statement concerning the status of any project required or authorized to be funded in accordance with the Ordinance enacted by Measure O.

The Committee's Annual Report shall be presented to the Board within 60 days of the Committee receiving the independent auditor's annual report and the Fire Chief's annual report required by Measure O, whichever report is received later.

3. Conduct all business in accordance with the provisions of the Ralph M. Brown Act (“the Brown Act”), including the posting of notices and agendas of the Committee meetings on the District’s website and a physical location that is available to the public 24-hours a day.
4. Provide communication to and accept communication from the community on Measure O issues.
5. Make available for public viewing on the District’s website all documents received and reports issued by the Committee.

4.02 In furtherance of its purpose, the Committee may engage in any of the following activities:

1. Receive and review copies of the following:

- (a) the District’s required annual, independent financial audits for the relevant fiscal year.
- (b) the District’s annual and interim budget reports and presentations for the relevant fiscal year; and
- (c) any documents related to the expenditure of Measure O proceeds.

2. Inform the public on Committee activities and encourage membership participation.

3. Prepare, approve, and distribute other progress reports of its activities, findings, and recommendations to the Fire Chief, the Board, and the public, that fall within the Committee’s duties and the Committee deems necessary.

4. Make recommendations to the Board in accordance with the Committee’s Mission and Activities, as stated in these bylaws, and Measure O. The Board may act on any recommendations as it deems appropriate.

4.03 The Committee only has those powers provided by the Ordinance concerning Measure O and these bylaws.

SECTION V

DISTRICT DUTIES AND SUPPORT

5.01 The District commits to support the oversight process through cooperation with the Committee, by providing the Committee with access to information and with sufficient logistical support so that the Committee may effectively perform its oversight function. Further, the District will ensure that with regard to the Committee, all District personnel are committed to open communication, the timely sharing of information, and teamwork. Specifically, the District shall provide necessary administrative and technical support to the Committee, including but not limited to:

1. 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 Board.

2. Provision of an ADA compliant publicly accessible meeting location, including any necessary audio/visual equipment.
3. Preparation and copies of any document or meeting materials, such as agendas and reports.
4. Retention of all Committee records.

5.02 The Office of the Fire Chief of the District shall provide the Committee with copies of all public financial documents of the District, as requested by the Committee, including but not limited to annual audits and financial reports.

SECTION VI MEMBERSHIP

6.01 The Committee shall be composed of a minimum of three (3) and a maximum of five (5) members appointed by the Board after an open and public recruitment process. The Board may appoint more than five (5) members provided that any appointments beyond five (5) result in an odd number of active members serving at any one time. Members of the Oversight Committee shall be residents or property owners of the RHFPD Area and registered to vote. To ensure the Committee's independence, employees, officials, vendors, contractors, or consultants of the District are not eligible for voting or active membership on the Committee. Unless a Committee member is removed for cause, Committee members shall serve until their successor is appointed by the Board.

6.02 The Committee shall include at least:

1. One member who is a resident or property owner in Hercules and a registered voter; and
2. One member who is a resident or property owner in Rodeo and a registered voter.

6.03 A Committee member who no longer serves the group s/he was appointed to represent shall be allowed to complete his/her current term. However, that Committee member shall not be entitled to serve a subsequent term as a representative of that group.

6.04 Committee members may not hold any incompatible office or position during their term of membership, as those terms are defined in Article 4.7 of Division 4, of Title I (commencing with section 1125) of the Government Code, and shall abide by the conflict of interest prohibitions contained in the Political Reform Act (commencing with section 81000), Article 4 of Division 4, of Title I (commencing with section 1090) of the Government Code and with the Ethics Policy attached as Appendix I hereto. Any member shall disclose immediately any possible or potential conflict of interest to the Committee. A Committee member's failure to disclose any possible or potential conflict of interest when known will result in the member's removal from the Committee.

6.05 Committee members are not eligible to apply for contracts with the District until two (2) years after the expiration of the member's term.

6.06 Committee members shall receive no compensation for their service on the Committee.

SECTION VII
TERMS OF OFFICE

7.01 Committee members are appointed by the Board for a term of two (2) years, except as provided in Section 8.02 or as otherwise provided herein. No member may serve more than three (3) consecutive terms or a maximum of six (6) consecutive years, whichever is less. The terms shall be staggered as set forth in Section 8.02 below. Should a member resign their position before their term matures, the Board will appoint a new member to complete the term. At the discretion of the Board, members serving partial terms may be reappointed to serve three complete terms at the conclusion of the partial term.

7.02 At the Committee's first meeting, members will draw lots in order to stagger the starting initial terms as follows:

1. One or Two of the members will serve an initial two-year (2) term, and,
2. Two or Three of the members will serve an initial three-year (3) term. **These numbers are dependent on the total number of Committee members*

7.03 The members serving the initial three (3) year term will be eligible for reappointment to no more than one additional two (2) year term at the discretion of the Board.

7.04 Should the Board increase the number of members on the Committee, the Committee will make the necessary adjustments to terms in order to once again have as close as possible to one-half of the members' terms maturing each year.

7.05 Following an absence of one year, any Committee member whose term has expired due to statutory term limits shall be eligible to serve again.

SECTION VIII
REMOVAL FROM OFFICE

8.01 The Board may remove any Committee member, for cause, including but not limited to, failure to attend without reason acceptable to the Committee three (3) consecutive Committee meetings or for failure to meet the Committee's purpose or duties, or for a violation of the Brown Act, or, for failure to comply with the District's or Committee's Ethics Policy which can be found online on the District's website. Upon a member's removal, their seat shall be declared vacant. The Board, in accordance with the established appointment process, shall fill any vacancies on the Committee as soon as practicable.

SECTION IX
COMMITTEE RULES & PROCEDURES

9.01 The Committee will meet at least twice per year and as often as it deems necessary to conduct its business, including holding special meetings to fill vacant positions of Chairperson, Vice

Chairperson and Secretary. The date upon which, and the hour and place at which, each such meeting shall be held shall be fixed by the Committee and posted on the District's website. To the extent permitted by the Brown Act, such meetings may be held by teleconference.

9.02 Special meetings and established subcommittee meetings may be called in accordance with the provisions of the Brown Act. To the extent permitted by the Brown Act, such meetings may be held by teleconference.

9.03 All meetings of the Committee shall be called, noticed, held and conducted subject to the provisions of the Brown Act. The Committee shall cause minutes of all meetings to be kept and shall, as soon as possible after the minutes of each meeting are approved by the Committee, but not later than 15 days after their approval, cause a copy of the minutes to be forwarded to District staff for posting on the District's website.

9.04 If meetings are held in person, any person physically appearing at the meeting and wishing to speak during the Public Comments section of the Committee's agenda, shall first complete a speaker request card and submit the card to the Committee Secretary prior to the public comments section of the agenda.

1. Individual speakers before the Committee shall have a three-minute time limit per item. The Chairperson may increase this time limit, taking into consideration the total number of additional speakers, length of meeting agenda and other relevant factors.

2. If a member of the audience has addressed the Committee on matters, which are not on the posted agenda for that meeting, members shall refrain from discussing such matters. If the non-agenda matter raised by a member of the public concerns an issue that is within the subject matter jurisdiction of the Committee, any member may request that the Committee vote to place that matter on a future agenda.

9.05 In the event of disorderly conduct by members of the public, the Committee may order the meeting room cleared pursuant to California Government Code §54957.9 if the members continue the disorderly conduct after a warning to discontinue the conduct.

9.06 A majority of the members of the Committee, but in no case less than three (3) members, shall constitute a quorum for the transaction of business.

9.07 Each member of the Committee shall be entitled to one vote to be entered in person. Members may not vote by absentee or proxy. No action shall be taken by members present and voting, unless a quorum is present.

9.08 Members are expected to attend all meetings.

9.09 Committee members shall complete and submit to the Clerk of the Board a California Fair Political Practices Commission Form 700 upon appointment, and annually thereafter. Committee members shall be held to the District's and Committee's Ethics policy and shall attend AB 1234 Ethics training.

SECTION X

COMMITTEE OFFICERS

10.01 The officers of the Committee shall be a Chairperson, Vice Chairperson, and Secretary.

10.02 The Chairperson and Vice Chairperson must be members of the Committee, and shall be

elected by a majority of the Committee at the organizational meeting, and first meeting of the calendar year each year thereafter. The Chairperson and Vice Chairperson shall serve for no more than four (4) years in their respective offices. The Secretary shall be elected by a majority of the Committee and need not be a member of the Committee.

10.03 In the event a Chairperson position is vacant, the Vice Chairperson shall assume the Chairperson position for the remainder of the unexpired term. In the event a Vice Chairperson is unable or unwilling to serve the remaining term in the Chairperson position, a majority of the Committee members shall elect a new Chairperson at the Committee's next meeting, or at a special meeting called for that purpose. If Vice Chairperson or Secretary positions are vacant, a majority of the Committee members shall elect the new persons for those positions at the Committee's next meeting, or at a special meeting called for that purpose.

10.04 The duties of the Chairperson are to:

1. Preside over Committee meetings.
2. Appear before the Board and other bodies to present and discuss the official actions of the Committee.

10.05 The duties of the Vice Chairperson are to:

1. Preside over Committee meetings in the absence of the Chairperson or if the Chairperson position is vacant.
2. Appear before the Board and other bodies to present and discuss the official actions of the Committee in the absence of the Chairperson or if the Chairperson position is vacant.

10.06 The duties of the Secretary are to:

1. Record and maintain minutes of all meetings of the Committee.
2. Distribute minutes of all meetings of the Committee to all Committee members, to the Board, and to District staff for posting on the District's website.
3. Review Committee meeting notices and agendas with the Chairperson. Distribute Committee meeting notices and agendas to all Committee members, to all other persons requesting copies of the agenda so that provisions of the Brown Act and Public Records Act are followed, and to District staff for posting on the District's website and physical location that is accessible to members of the public 24-hours a day.
4. Distribute Committee reports to Committee members, to the Board and to District staff for posting on the District's website.
5. Keep all documents officially received by the Committee in the course of its business, and forward copies of all such documents to the District staff.
6. Prepare all necessary correspondence of the Committee.
7. Arrange and coordinate meeting locations and teleconferences of the Committee

The Fire Chief may, in his or her discretion, provide an employee of the District to assist the Secretary with these functions, if staffing and budget allow.

SECTION XI

AMENDMENTS

11.01 These Bylaws shall become effective upon approval of the Board of Directors.

11.02 These Bylaws may be amended, changed, added to, or repealed by the Board. Additional or supplemental operational guidelines or procedures may be adopted by the Committee by a majority vote of all the members of the Committee, provided such additional or supplemental operational guidelines or procedures are not in conflict with these Bylaws, any Resolution or Ordinance of the Board, or any state law, including but not limited to the provisions of the Brown Act and the California Health & Safety Code.

SECTION XII

TERMINATION

12.01 The Committee shall initiate procedures to terminate and disband at the earlier of the date:

1. All Measure O proceeds have been expended, or
2. All Measure O revenues have been collected.

12.02 Once the District informs the Committee that either of the conditions described in 13.01 has occurred, the Committee shall prepare a final report of findings and recommendations to be presented and received by the Board at a regularly scheduled Board meeting.

12.03 Once the final report of findings and recommendations is presented to the Board, the Committee shall automatically terminate and disband. In no event shall the final report be presented to the Board more than 90 days after the Committee has been informed of the occurrence of either of the conditions set forth in section 12.01.