

BYLAWS

Santa Maria Joint Union High School District Citizens' Bond Oversight Committee Measure C2004 and Measure H2016

October 16, 2008
Revised: October 30, 2012 – Revision 2
Revised: March 21, 2018 – Revision 3

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BYLAWS

Santa Maria Joint Union High School District Citizens' Bond Oversight Committee Measure C2004 and Measure H2016

Article I. Name and Location

The name of this legally constituted group shall be ***Santa Maria Joint Union High School District Citizens' Bond Oversight Committee Measure C2004 and Measure H2016***, hereinafter referred to as the Committee.

The principal office of the Committee shall be the Santa Maria Joint Union High School District Support Services Center, located at 2560 Skyway Drive, Santa Maria, CA 93455.

Article II. Purpose

The purpose of the Committee shall be to inform the public concerning the expenditure of Measure C2004 and Measure H2016 bonds revenue.

Article III. Responsibilities and Duties

The Committee shall actively review and report on the proper expenditure of revenue derived from the sale of Measure C2004 and Measure H2016 bonds for school construction and rehabilitation. The Committee shall be responsible for:

1. Ensuring the bond revenues are expended only for the purposes described in the California Constitution, Article XIII A, Section 1, paragraph (3), subdivision (b).
2. Ensuring that, as prohibited by the California Constitution, Article XIII A, Section 1, paragraph (3), subdivision (b), no funds are used for teacher and administrator salaries and other school operating expenses.
3. Ensuring that Measure C2004 and Measure H2016 bond revenues are expended only on the Measure C2004 and Measure H2016 Projects approved by voters and the Santa Maria Joint Union High School District Board of Education. See Attachment A.

The Committee shall:

1. Inform the public as to whether the school district is in compliance with the requirements of Article XIII A, Section 1(3)(b) of the California Constitution.
2. Convene and provide oversight of Measure C2004 and Measure H2016 bond revenues as required by the California Education Code, Sections 15278, 15280 and 15282. See Attachment B.
3. Receive and review copies of all performance and financial audits required by subparagraph (C) of paragraph (3) of subdivision (b) of Section 1 of Article XIII A of the California Constitution.
4. Inspect school facilities and grounds to ensure that bond revenues are expended in compliance with the requirements of paragraph (3) of subdivision (b) of Section 1 of Article XIII A of the California Constitution.
5. Receive and review copies of all proposals and plans developed by the school district for the Measure C2004 and Measure H2016 Projects approved by the Board of Education.
6. Review efforts by the school district to maximize bond revenues by implementing cost-saving measures, including, but not limited to, the following:
 - (A) Mechanisms designed to reduce the costs of professional fees,
 - (B) Mechanisms designed to reduce the costs of site preparation,
 - (C) Recommendations regarding the joint use of core facilities,
 - (D) Mechanisms designed to reduce costs by incorporating efficiencies in school site design, and
 - (E) Recommendations regarding the use of cost-effective and efficient reusable facility plans.
7. Receive and review school district documentation, including, but not limited to, the following:
 - (A) Requests for Proposals, Contractor Proposals and Contracts,
 - (B) Engineering Specifications, Materiel Lists and Equipment Manifests,
 - (C) Quality Assurance Plans, Procedures and Compliance Reports,
 - (D) Program Management Plans and Reports,
 - (E) Architectural Plans, Specifications and Reports,
 - (F) Project Schedules, Budgets and Completion Status Reports,
 - (G) Purchase Orders, Invoices and Payment Vouchers, and
 - (H) Project Accounting Ledgers.
8. Issue an annual report on the results of the Committee's activities pursuant to the California Education Code, Section 15280 (b).

Article IV. Membership

The Committee shall consist of at least seven (7) members to serve for a term of two (2) years without compensation and for no more than three (3) consecutive terms. The Committee shall be comprised, as follows:

1. One member shall be active in a business organization representing the business community located within the school district.
2. One member shall be active in a bona fide taxpayers' organization.
3. One member shall be active in a senior citizens' organization.
4. One member shall be the parent or guardian of a child enrolled in the district.
5. One member shall be both a parent or guardian of a child enrolled in the district and active in a parent-teacher organization, such as the Parent Teacher Association (PTA) or school-site council.

No employee or official of the district shall be a member of the Committee. No vendor, contractor or consultant for the district shall be a member of the Committee.

The Committee shall fill vacancies as they occur (see Attachment C). Appointees to such vacancies shall serve a two-year term commencing the month the appointment is made. The Chair shall notify the Board of Education and the District of new appointments.

A member may be removed from the Committee by a majority vote of the Committee. Only a sitting member of the Committee shall be authorized to request the removal of another member. Upon receipt of a request to remove a member the Chair shall invoke the removal process described in Appendix D.

Article V. Governance

The officers of the committee shall be the Chair, Vice-Chair and Secretary

The officers of the Committee shall be elected by the Committee members to serve a one year term in that capacity. Elections shall be supervised by the Chair. The election of officers shall take place at the regular meeting convened in December of each year. Election of each officer shall be comprised of a nomination by a Committee member, followed by a vote of the members. Members must be present to vote. In the event there is more than one candidate for an office, the winner will be the candidate who receives an amount of votes equal to or exceeding 50% of the total votes cast. In the event of a tie vote, a run-off election shall determine the winner. Elected officers shall assume their duties immediately.

The duties of the officers shall be as follows:

1. The Chair¹; shall preside at all meetings of the Committee; compose meeting agendas; sign letters, reports, or other communications on behalf of the Committee; serve as the spokesperson and representative to the Board of Education on behalf of the Committee and serve as the *Ex-Officio* member on all sub-committees.
2. The Vice-Chair shall assume the duties of the Chair in the absence of the Chair and be responsible for such duties as may be assigned by the Chair.
3. The Secretary shall record minutes for all scheduled Committee meetings; shall prepare and present meeting minutes to the Committee for review, concurrence and approval; shall maintain custody over the official Minutes and Records of all Committee meetings; shall maintain an accurate roster of current Committee members including sub-committee assignments and shall be responsible for such duties as may be assigned by the Chair.

An officer may be removed from office by a two-thirds vote of the Committee. Only a sitting member of the Committee shall be authorized to request the removal of an officer. Upon receipt of a request to remove an officer the Chair shall invoke the removal process described in Appendix D.

A vacancy in any office shall be filled by Committee appointment. The officer appointed to such vacancy shall serve for the remainder of the term of the officer replaced.

Article VI. Committee Meetings

All Committee meetings where a majority of members are present at the same time and place and “hear, discuss or deliberate” business shall be governed by the *Brown Act*. Public notice of meetings shall adhere to the provisions of the *Brown Act* and the meetings shall be open to the public. A portion of the meeting Agenda shall be set aside for public oral comment. Agenda items pertaining to *Removal From Office* shall be closed to the public.

The Committee shall meet generally on the third Wednesday on a quarterly basis beginning in December (i.e., March, June, September and, December). A calendar of these meetings shall be adopted at the first meeting of the committee and shall be made known to the public. Subsequent years’ calendars shall be adopted at the Committee’s December meetings.

Special or emergency meetings may be called by the Chair or upon receipt by the Chair of a written petition signed by two-thirds of the Committee.

¹ Any member may submit to the Chair, at least seven days prior to a meeting, an agenda item that the Chair shall place on the agenda of the next meeting.

A meeting Agenda and the Minutes (i.e., the previous meeting) shall be distributed to all Committee members within three(3) days of a scheduled, regular meeting.

A *quorum* shall consist of a majority of the Committee.

All Committee decisions shall be made by a majority vote in the presence of a *quorum*.

The Committee shall conduct all meetings subject to the *Brown Act* in the District's Support Services Center Board Room located at 2560 Skyway Drive, Santa Maria, California.

Article VII. Books and Records

The books, records and papers of the Committee shall be maintained by the Secretary and stored in the District's Support Services Center located at 2560 Skyway Drive, Santa Maria, California.

They shall at all times, during reasonable business hours, be subject to inspection by Committee members and the public. Copies shall be provided to the public upon receipt of a written request submitted to the Committee.

Article VIII. Sub-Committees

Sub-committees comprised of at least three (3) members shall be appointed by the Chair with the advice and consent of a majority of the Committee. Sub-committees shall study and report in the area of assigned responsibility established for them by the Committee and be dissolved when their purpose has been completed.

Each sub-committee shall keep a written record of its deliberations and recommendations. The records shall be filed with the Secretary after having been presented to the Committee as a whole.

All sub-committee members have voting rights on the committee to which they serve. The Chair shall be the *Ex-Officio*, non-voting member of all sub-committees. Removal of sub-committee members shall be accomplished by the Chair, when necessary, at the direction of the Committee.

Article IX. Governance Documents

All Committee business shall be conducted in accordance with the Governance Documents. They are, in order of their rank and precedence, as follows:

1. The *Bylaws* shall be the rule adopted by the Committee for the government of the members and the regulation of its affairs.

2. The *Standing Rules* shall be a written set of administrative policies, processes, procedures and guidelines for conducting the business of the Committee.

The Governance Documents shall be maintained by the Secretary and stored in the District's Support Services Center located at 2560 Skyway Drive, Santa Maria, California. They shall at all times, during reasonable business hours, be subject to inspection by Committee members and the public. Copies shall be made available to the public upon receipt of a written request submitted to the Committee.

Article X. Amendments

The *Bylaws* may be amended as follows:

1. A proposed amendment shall be placed on the Agenda by a majority vote of the Committee.
2. The proposed amendment shall receive a First Reading at the next regular meeting of the Committee. A majority vote of the Committee shall be required to adopt the First Reading.
3. The proposed amendment shall receive a Second Reading. A two-thirds majority of the Committee shall be required to ratify the amendment. The amendment shall take effect immediately upon ratification, unless otherwise specified in the amendment.

The *Standing Rules* may be amended as follows:

1. A proposed amendment shall be placed on the Agenda by a majority vote of the Committee.
2. The proposed amendment may be adopted by a majority vote of the Committee at the next regular meeting. The amendment shall take effect immediately upon adoption, unless otherwise specified in the amendment.

IN WITNESS WHEREOF, we, being all the members of the ***Santa Maria Joint Union High School District Citizens' Bond Oversight Committee Measure C2004 and Measure H2016***, a legally constituted group, have hereunto set our hands this 21st day of March, 2018.

Karen Franklin-Rich,, Chair

Noemy Ornelas , Secretary

Sharon McConnell, Vice-Chair

Keiko Monahan, Member

Karen Nuno, Member

Attachment A

Santa Maria Joint Union High School District
Measure C2004 and MeasureH 2016 Project Lists
(Non-Prioritized)

Attachment B

California Education Code
Sections 15278, 15280 and 15282

Attachment C

Committee Membership Vacancy Appointment Procedure

Committee Membership Vacancy Appointment Procedure

A vacancy shall exist whenever Committee membership drops to fewer than seven (7) members. The Secretary shall report the vacancy to the Chair. The Secretary shall announce the vacancy to the whole Committee at the next regular meeting. The committee shall facilitate the recruitment of applicants and make appointments. The Chair shall advise the District's Board of Education of all appointments not later than the next regularly scheduled Board meeting.

The Chair shall implement the following procedure.

- Step 1. Post vacancy notices on the District's Web site, at the Santa Maria. Orcutt Branch and the Guadalupe Public Libraries. Also, the Santa Maria Times will be advised that a vacancy exists. All notices shall contain a name and telephone number of a person to be contacted. The notice shall be valid for 30 days from date of posting.
- Step 2. Provide an application packet to any resident of the school district who expresses a desire to join the Committee.
- Step 3. Distribute a copy of an applicant's response to each Committee member and request written advice and consent regarding the applicant's suitability for appointment.
- Step 4. Place an item on the agenda for the next regular Committee meeting calling for the whole Committee to select which applicant(s) are to receive appointment. The Chair shall call for a motion to appoint the selected applicant(s).
- Step 5. Notify appointed applicant(s) of their appointment and advise that they will be receiving an agenda for the next regularly scheduled Committee meeting.
- Step 6. Prepare a letter for Chair signature identifying to the Board of Education the names of the applicant(s) receiving appointment to the Committee.
- Step 7. Provide the Secretary with information required to update the Committee roster.
- Step 8. Send a thank you letter to the applicant(s) who did not receive an appointment.

Attachment D

Member Removal Process

Member Removal Process

No Committee member is to be removed from office or from the Committee without due process. That process shall be as follows:

Any member (i.e., the Requesting Member) requesting the removal of another member shall submit a written Request for Removal to the Chair. The Request for Removal shall include the following:

1. The name of the person to be removed (i.e., the Named Member).
2. A detailed description of the reason for removal.
3. The names and phone numbers of all known parties who can substantiate the alleged conduct.
4. The name, date and signature of the member making the request.

The Chair¹ shall direct the Secretary to create a file for record, record receipt of the Request for Removal, make one copy for the Chair and file the original. The Chair shall mail a written notification to the Named Member that a Request for Removal has been submitted. The notification shall include a copy of the Request for Removal. The Named Member shall have 10 calendar days from the date shown on the notification to submit a written response to the Chair.

The Chair¹ shall appoint a Review Panel consisting of three members and charge them to review the Request for Removal and investigate the merits of the request. The Review Panel shall complete their investigation within ten calendar days and submit a written report to the Chair. Their written report shall include one of the following;

1. The request is without merit and should be dismissed with no further action.
2. The request has merit but is not sufficient grounds for removal of the member.
3. The request has merit and is sufficient grounds for removal of the member.

In the case of # 1 above, the Chair shall, on behalf of the Committee, apologize to the named member. The apology shall be in written form.

In the case of # 2 above, the Chair shall schedule a Closed Session of the Committee to consider what action, if any shall be taken.

In the case of # 3 above, the Chair shall appoint a member to act as advocate for the Named Member. The Named Member may accept the advocate or choose another member. The appointed or chosen advocate shall be honor bound to support the Named Member to the best of his/her ability. The burden of proof to remove the Named Member shall rest with the Requesting Member. The Chair shall schedule a Closed Session of the Committee to hear the request and make a determination to either remove the Named

¹Vice Chair, if the Chair is unavailable or is the Requesting Member

Member or take some other action.

The Closed Session shall be conducted as follows;

1. The Requesting Member shall have ten minutes to address the Committee.
2. The Advocate shall have ten minutes to address the Committee.
3. The Requesting Member shall have five minutes for rebuttal.
4. The Named Member shall have ten minutes to address the Committee.
5. The Requesting Member, the Advocate and the Named Member shall retire from the closed meeting.
6. The Committee shall deliberate the proceedings for twenty minutes.
7. The Requesting Member, the Advocate and the Named Member shall return to the closed meeting.
8. The Chair shall conduct a secret ballot(s) of the whole Committee to determine if the Named Member is to be removed or if some other action is to be taken. A majority shall be required to enforce a decision.
9. The ballots shall be counted by the Secretary and one other member designated by the Chair. The results shall be provided to the Chair who will announce the Committee's decision. The Decision shall be documented and signed by both the Chair and the Secretary. The Named Member shall abide by the Committee's decision.
10. The ballots and the Committee's Decision shall be sealed and retained by the Secretary.