

**BYLAWS  
OF  
THE MARTINEZ UNIFIED SCHOOL DISTRICT  
MEASURE "C" CITIZENS' OVERSIGHT COMMITTEE**

**Section 1. NAME**

The name of this Committee shall be the Martinez Unified School District Measure "C" Citizens' Oversight Committee (herein referred to as the "Committee").

**Section 2. PRINCIPAL OFFICE**

The principal office of the Committee for the transaction of its business shall be located within the boundaries of the Martinez Unified School District ("MUSD" or "District"). The Committee may change the principal office from one location to another within the boundaries of the District. Any such change of location must be noted by the Secretary of the Committee.

**Section 3. OBJECTIVES AND PURPOSES**

The primary objectives and purposes of this Committee shall be to advise the Board of Education on spending priorities and to monitor implementation of plans and priorities under Measure C.

**Section 4. MEMBERS**

- (a) The Committee shall be composed of at least 9 members to be appointed by the Board of Education. All members shall be voting members.
- (b) No Committee member shall be an employee or official of the District.
- (c) No Committee member shall be, or shall be employed by, a vendor, contractor or consultant of the District.
- (d) No Committee member shall have any financial interest in the matters which they review.
- (e) Members of the Committee shall serve without compensation.

**Section 5. AUTHORITY**

In order to perform the duties set forth below in Section 6, the Committee shall have the authority to:

- (a) Perform any and all duties imposed on them collectively by law, by Measure C, the Board of Education, or by these Bylaws;

- (b) Meet at such times and places as required by these Bylaws;
- (c) Review, audit and report on the expenditure of Measure C parcel tax proceeds.

The Board of Education reserves the authority to ultimately establish the priority, and approve funding, for the projects and programs funded by Measure C proceeds.

#### **Section 6. DUTIES AND REPORTS**

- (a) To carry out its stated purpose, the Committee shall perform the following duties:
  - (1) Receive and review copies of any annual, independent performance audit related to Measure C parcel tax proceeds.
  - (2) Receive and review copies of any annual, independent financial audit related to Measure C parcel tax proceeds.
  - (3) Inspect programs on projects in school facilities and grounds to ensure that Measure C parcel tax proceeds are expended in compliance with the requirements of the Measure C.
  - (4) Receive and review copies of any reports regarding Measure C parcel tax proceeds and on expenditures, proposals or plans developed by the District for those proceeds.
  - (5) Review efforts by the District to maximize parcel tax revenues by implementing cost-saving measures.
- (b) To carry out its stated purpose, the Committee shall review the annual report on Measure C proceeds to be filed with the Board of Education pursuant to Measure C.
  - (1) District staff shall prepare a preliminary annual report for Committee review.
  - (2) The Committee shall provide District staff with its comments and suggestions on the preliminary annual report.
  - (3) Not later than one hundred and eighty (180) days after the close of the District's fiscal year, District staff shall provide to the Superintendent and the Board of Education and members of the public the annual report. The annual report shall contain the following summary information in appropriate detail:
    - (A) Committee's ongoing review summary of activities on the expenditure of Measure C parcel tax proceeds;

(B) Results of whether Measure C parcel tax proceeds were expended on project and programs consistent with the measure.

(4) The Committee shall provide a copy of any report issued to the public unless it is otherwise made confidential by law or District policy.

## **Section 7. TERMS OF OFFICE**

(a) Members of the Committee shall serve a term of three (3) years.

(b) No individual may serve for more than three (3) consecutive terms on the Committee. This limitation, however, shall not prevent the Board of Education from appointing an individual to serve on the Committee if:

(1) the individual has served three consecutive terms and is seeking re-appointment to a further consecutive term on the Committee and there are no other applicants for the seat on the Committee; or,

(2) the individual previously served on the Committee for three consecutive terms, but has not served on the Committee for one year.

(c) In order to provide continuity, the initial term shall be one (1) year for four (4) members, two (2) years for three (3) members and three (3) years for (2) members. Any additional members beyond the required nine (9) shall serve for a term of one (1) year.

(d) Annually, the members shall elect a Chairperson, Vice-Chairperson, and a Secretary. The Secretary of the Board of Education shall notify the Committee Secretary in writing of the appointment of a Committee member or the filling of any and all Committee vacancies by the Board of Education.

## **Section 8. PLACE OF MEETINGS; MEETINGS BY TELEPHONE OR OTHER TELECOMMUNICATIONS EQUIPMENT**

All meetings shall comply with Government Code Section 54950, et seq. (the "Brown Act"). Meetings shall be held at the District unless otherwise provided by the members or at such place within the District that has been designated from time to time by resolution of the members. Meetings not so held shall be valid only if held on the written consent of all members given either or before or after the meeting and filed with the Secretary of the Committee or after all members have been given written notice of the meeting as hereinafter provided for special meetings of the Committee. Any meeting, regular or special, may be held by conference telephone, video-screen communication, or communications equipment, so long as all members participating in such meeting can hear one another, public participation is afforded, and the meeting meets all applicable requirements of the Brown Act.

## **Section 9. REGULAR MEETINGS**

The Committee shall hold regular meetings at least twice yearly. The Committee shall annually establish and notice to the public its regular meeting schedule for the subsequent 12 month period. Extra meetings can be called as needed.

## **Section 10. SPECIAL MEETINGS**

Following consolidation with District staff, special meetings of the Committee may be called by the Chairperson or by a majority of the members pursuant to Brown Act requirements.

## **Section 11. QUORUM FOR MEETINGS**

A quorum shall consist of a majority of the total existing membership of the Committee prescribed by Section 4 of these Bylaws.

## **Section 12. MAJORITY ACTION AS COMMITTEE ACTION**

Every act or decision shall be done or made by a majority vote of the total existing membership of the Committee prescribed by these Bylaws. Votes of the Committee shall be by roll call of the membership. Meetings shall be adjourned when a quorum is not present.

## **Section 13. CONDUCT OF MEETINGS**

Meetings of the Committee shall be presided over by the Chairperson of the Committee, or, if no such person has been so designated or, in his or her absence, the Vice-Chairperson of the Committee or, in his or her absence, the Secretary of the Committee or in the absence of each of these persons, by a temporary Chairperson chosen by a majority of the members present at the meeting. The Secretary of the Committee shall act as secretary of all meetings of the Committee, provided that, in his or her absence, the presiding officer shall appoint another person to act as Secretary of the meeting.

## **Section 14. VACANCY**

A vacancy on the Committee shall exist upon the death, resignation, or excessive absence of any member, if a member becomes ineligible to continue to serve on the Committee, or upon occurrence of any other reason specified by section 1770 of the Government Code, as may be applicable. An excessive absence is defined as absence for three consecutive meetings.

Any member may resign from the Committee effective immediately upon giving concurrent written notice to the Secretary of the Committee and to the Secretary of the Board of Education, unless the written notice specifies a later time for the effectiveness of such resignation.

A vacancy on the Committee shall be filled by the Board of Education.

**Section 15. DUTIES OF THE CHAIRPERSON OF THE COMMITTEE**

The Chairperson of the Committee shall assume all duties normally associated with that office. The Chairperson of the Committee shall conduct the meetings of the Committee. The Chairperson shall, when present, preside at all meetings, and shall see that all orders and resolutions of the Committee are carried into effect. The Chairperson shall: put to a vote and announce the results of actions taken on questions before the Committee; resolve all questions of order (subject to appeal); call special meetings when deemed necessary; and shall exercise and perform such other duties as may be prescribed by the Committee from time to time.

**Section 16. DUTIES OF THE VICE-CHAIRPERSON OF THE COMMITTEE**

The Vice-Chairperson of the Committee shall assume all duties normally associated with that office. The Vice-Chairperson of the Committee shall conduct the meetings of the Committee upon absence of the Chairperson of the Committee.

**Section 17. DUTIES OF SECRETARY**

The Secretary shall:

- (a) Keep at the principal office of the Committee the original, or a copy of the Bylaws, as amended or otherwise altered to date.
- (b) Keep at the principal office of the Committee or at such other place as the Committee may determine, a book of minutes of all meetings, recording therein the time and place of holding, whether regular or special, how called, how notice thereof was given, the names of those present or represented at the meeting, and the proceedings thereof. Meeting minutes shall be recorded by District staff at District expense in order to avoid duplication of work by staff and reduce the administrative cost associated with the operation of this Committee.
- (c) See that all Committee notices are duly given in accordance with the provisions of these Bylaws or as required by law.
- (d) Be custodian of the Committee records.
- (e) Provide written notice to the Secretary of the Board of Education of any Committee vacancy that has occurred pursuant to these Bylaws.
- (f) In general, perform all duties incident to the office of Secretary and such other duties as may be required by law, or by these Bylaws, or which may be assigned to him or her from time to time by the Committee.

**Section 18. AMENDMENT OF BYLAWS**

The Committee may make recommendations to the Board of Education regarding amendment of these Bylaws. Subject to any provision of applicable law, these Bylaws may be altered, amended, or repealed only by the Board of Education.

**Section 19. PARLIAMENTARY AUTHORITY**

Robert's Rules of Order Newly Revised (Latest Edition) shall be used by the Committee in the conduct of all Committee business, unless the Chairperson determines that informal proceedings would be more efficient and effective in completing the Committee's business as long as those proceedings otherwise meet the requirements of these Bylaws.

**CERTIFICATION**

This is to certify that the foregoing is a true and correct copy of the Bylaws of the Committee named in the title thereto and that such Bylaws were duly adopted by the Board of Education on the date set forth below.

Revised Effective: June 12, 2017

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Name: Bobbi Horack  
Title: Board President  
Martinez Unified School District

Attest: \_\_\_\_\_  
Name: Deidre Siguenza  
Title: Board Clerk  
Martinez Unified School District