

**San Mateo Foster City School District
Parcel Tax (Measure V) Oversight Committee -
DRAFT**

Bylaws

Article 1. Preamble

In accordance with the ballot language of the San Mateo Foster City School District ("District") Measure V Parcel Tax ("Parcel Tax") passed by the voters on November 6, 2018, all expenditures of the Parcel Tax shall be subject to independent citizen oversight to ensure accountability and that funds are spent appropriately in classrooms across the District. This oversight process shall be under the purview of the Parcel Tax Oversight Committee ("Committee") which shall have the duties and rights set forth in these Bylaws.

Article 2. Name, Purpose, and Duties

2.1 Name

The name of this organization shall be the "Parcel Tax Oversight Committee" hereinafter referred to as the "Committee."

2.2 Purpose

The Board establishes the Committee to inform the public concerning the expenditure and uses of the Parcel Tax proceeds. The Committee is charged with reviewing and reporting on the expenditures of Parcel Tax revenue and ensuring said revenue is expended in accordance with the stated purposes of the Parcel Tax, including, but not limited, to:

- (1) Attract and Retain Excellent Teachers and Staff;
- (2) Provide outstanding reading, writing, math, and science programs;
- (3) Improve programs including science, technology, engineering and math;
- (4) Support art, drama and music programs

with no proceeds used for administrators' salaries, benefits or pensions.

2.3 Duties

Committee members shall attend the Committee's regularly scheduled meetings, review all pertinent information provided to the Committee, and abide by the provisions of the *Ralph M. Brown Public Meetings Act* and all rules of conduct established in these Bylaws. In furtherance of its purpose, the Committee will engage in the following activities:

- A. Receive and review expenditure reports produced by the District to ensure that parcel tax revenue was expended in accordance with the purposes set forth in the Parcel Tax;
- B. Prepare (with assistance from the District) an annual written report which itemizes the amount of funds collected and expended from the proceeds of the parcel tax and will include: (1) a statement indicating whether the District's Parcel Tax expenditures were spent in accordance with the tax's stated purposes; Committee members may present the report to the Board in open session or may ask that the report be presented by District staff.

Article 3. Eligibility, Appointment, Term of Service

3.1 Committee Composition

The Board shall have sole discretion to select and appoint Committee members and to determine the Committee's final size. The Committee shall consist of a minimum of five members, including the following community representation:

- A. One member shall, at the time of appointment, be active in a business organization representing the business community of the District;
- B. One member shall, at the time of appointment, be active in a senior citizens organization;
- C. Two members shall, at the time of appointment, each be a parent or guardian of a child enrolled in the District;
- D. One member shall, at the time of appointment, be a parent or guardian of a child enrolled in the District and active in a parent-teacher organization such as PTA or school site council.

A single individual may be appointed as a representative of more than one of the above categories, if applicable.

The district Superintendent and the Chief Business Officer may attend regular meetings, but shall not be considered voting members of the "Committee."

3.2 Eligibility

- A. The Committee shall be comprised of individuals who live and/or work within the boundaries of the District.
- B. No employee, official, vendor, contractor, or consultant of the District shall be appointed to the Committee.
- C. Committee members shall be subject to prohibitions regarding incompatibility of office pursuant to Government Code sections 1125-1129 and financial interest in contracts pursuant to Government Code sections 1090-1099.

3.3 Term of Service

- A. Committee members shall serve without compensation and for no more than two consecutive terms.
- B. Appointed Committee members shall be seated in July of the appointment year (except in 2020), except those appointed to replace vacancies. After members are first seated, a minimum of two (2) Committee members will be asked to volunteer to serve for an initial one (1) year term. The remaining members will serve an initial two (2) year term.
- C. After appointment to a term, Committee members who wish to be appointed for a second term shall reapply to the Board for consideration.

3.4 Replacing a Committee Member

A. If a Committee position becomes vacant, the Committee Chair shall request that the Board appoint a replacement. If six months or less remain of the unexpired two-year term, the Board may choose to leave that position vacant for the remainder of the term, unless such vacancy results in the inability to meet a Committee quorum, in which case the Board shall immediately appoint a replacement..

B. A replacement Committee member may be appointed by the Board if one or more of the following events occurs:

1. A Committee member submits a written resignation to the Board, with a copy to the Committee Chair;
2. The Committee approves a motion to remove a member for cause, including for non-attendance at meetings (ref: Section 5.9 below), violating these Policies, and/or violating the Committee's adopted *Code of Conduct*. A motion to remove a member shall be approved by an affirmative vote of not less than two-thirds of the members present at a Committee meeting, a quorum being present. The motion and its result shall be communicated in writing to the member under consideration and to the Board President within one week after the meeting at which the motion was approved. Removal shall be effective immediately upon passing the motion. If the motion fails, the member under consideration shall not be subject to double jeopardy; another motion can be brought for that same member's removal.

C. Committee members appointed to fill vacant, unexpired terms may apply and shall be eligible for reappointment to a succeeding full two-year term.

D. A Committee member who no longer serves the group s/he was appointed to represent (e.g., ceases to be active with the PTA) 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.

Article 4. Committee Officers

4.1 Titles

The Officers of the Committee shall be comprised of a Chair and a Vice-Chair.

4.2 Elections

The Committee shall nominate and elect a Chair and a Vice-Chair at each year's September Committee meeting (except in 2020).

4.3 Term of Office

Each Officer shall be elected for a one-year term and shall not be term-limited except as set forth in Article 3 herein.

4.4 Duties of the Chair

A. The Chair shall call Committee meetings in accordance with the provisions of Article 5 herein.

B. The Chair shall, in consultation with District staff, establish the agenda for each Committee meeting.

C. The Chair shall preside over each Committee meeting, following the Rules of Procedure set forth in section 5.5 herein.

D. The Chair or his/her Committee-approved designee may serve as spokesperson for the Committee to the Board in Open Session.

E. The Chair may appoint a Parliamentarian to assist in complying with Robert's Rules of Order during Committee meetings (ref: Section 5.5 below).

4.5 Duties of the Vice-Chair

The Vice-Chair shall perform each of the duties of the Chair as necessary in the absence of the Chair.

4.5 Staff Support

A. Subject to review by the Chair before publishing, District staff shall provide support in preparing, recording, and distributing the following documents in accordance with the Brown Act:

1. Committee meeting agendas;
2. All reports, materials, and meeting packets as required by or addressed to the Committee;
3. The minutes of Committee meetings (ref: Section 5.8 below);
4. All written material submitted by the public during Committee meetings;
5. All official correspondence addressed to the Committee;
6. Reports adopted by the Committee;
7. Committee attendance records (ref: Section 5.9.B, below).
8. The District staff member shall take and record roll at the beginning of each Committee meeting to determine the existence of a quorum. If a quorum ceases to exist during a meeting, the Chair will be so informed.

4.6 Succession

The Vice-Chair will accede to Chair when a vacancy occurs in that office. In the event of a vacancy in the office of Vice-Chair, the position will be filled by election, agendaized at its next regular Committee meeting.

Article 5. Meetings

A. All Committee meetings subject to the Brown Act will be held in a fully-accessible District facility.

B. The Committee shall meet two times per fiscal year (except in 2020).

- C. Committee members may choose to be available to attend Board of Trustees meetings when reports relating to the Parcel Tax are presented.

5.1 Calling Meetings

Committee meetings may be scheduled on a regular basis by majority vote of the Committee. In addition, special meetings may be called by the Chair or Vice Chair, or by any group of Committee members whose number represents a quorum. All Committee meetings shall be arranged through the District's designated staff member and be noticed in accordance with the Brown Act.

5.2 Agendas

- A. Agendas for regular Committee meetings will be prepared by the Chair, in consultation with District staff in accordance with Section 4.5 herein. All documents applicable to agenda items shall be distributed in advance of meetings.
- B. Any member of the Committee may submit a request for placing an item on a future agenda.
- C. Agendas may include a consent calendar for routine, non-controversial items. These items must be clearly identified on published agendas. Any member of the Committee or public may request at the meeting that an item be added to the consent calendar or be pulled for discussion.
- D. After roll-call and the establishment of a quorum, meetings will begin with a consent calendar, if appropriate.

5.3 Quorum

Actions may be undertaken at a meeting only if half-plus-one of Committee members in office are present.

5.4 Committee Voting

Unless otherwise specified in these bylaws, an agenda item may be approved by a simple majority of Committee members in attendance, a quorum being present. Members must be present to vote.

5.5 Rules of Procedure

Meetings shall be conducted with courtesy and decorum and in accordance with Robert's Rules of Order.

5.6 California's Open Meeting Law

All meetings of the Committee shall be open to the public and shall be noticed and conducted in strict compliance with the Ralph M. Brown Act.

5.7 Public Participation

Any member of the public present at a meeting may address the Committee during the period designated for public comment. The Chair may, at his/her discretion, choose in advance to place an equal time limit on all speakers.

5.8 Minutes

Minutes of Committee proceedings and all documents received and reports issued therein shall be a matter of public record, and, to the extent practicable, the District shall make them available on the District's December 19, 2019

website. Minutes published before adoption by the Committee shall always be labeled "Draft Minutes."

5.9 Attendance

Regular attendance at Committee and applicable Subcommittee meetings is a fundamental obligation of every member of the Committee. Absences are disruptive to Committee activity and representation. Failure to attend two consecutive meetings without acceptable reason announced in advance shall constitute due cause for member removal in accordance with Article 3 herein.

A. Members anticipating an absence must call or email the Committee Chair or designated staff member no later than 24 hours before the scheduled meeting.

B. Committee attendance reports will be distributed annually and upon request by the Chair.

Article 6. Committee Reports

A. The Committee shall prepare an annual report.

B. The annual report must be approved by an affirmative vote of not less than two-thirds of the members present at a Committee meeting, a quorum being present, and be faithfully articulated to the public only by the Committee Chair or an approved designee.

C. Reports of minority viewpoints will be allowed. All such reports, written or oral, that represent the minority's position must be reviewed, be duly approved as to substance without prejudice by a vote of the Committee, and be faithfully articulated to the public only by a designated minority spokesperson. To avoid the need for minority reports, and to optimize working relationships on and public confidence in the Committee, all due diligence should be pursued to resolve divisive issues during the review process, thereby attaining fullest possible Committee support for the content of public reports.

D. Any member of the Committee may speak as an individual on parcel tax issues but must clearly state for the record that such statements are their own personal views which do not necessarily represent those of the Committee or the District.