

**MENLO PARK CITY SCHOOL DISTRICT**  
**CITIZENS' BOND OVERSIGHT COMMITTEE BYLAWS**

**Section 1. Committee Established.**

The Menlo Park City Elementary School District (the "District") was successful at the election conducted on November 5, 2013, in obtaining authorization from the District's voters to issue up to \$23 million aggregate principal amount of the District's general obligation bonds, pursuant to a greater than 55% vote. The election was conducted under Proposition 39, being chaptered as the Strict Accountability in Local School Construction Bonds Act of 2000, at Section 15264 et seq. of the Education Code of the State ("Prop 39"). Pursuant to Section 15278 of the Education Code, the District established the Citizens' Bond Oversight Committee (the "Committee") at a regular meeting held on May 13, 2014 in order to satisfy the accountability requirements of Prop 39. The Board of Education of the Menlo Park City Elementary School District (the "Board") hereby adopts the Citizens' Bond Oversight Committee Bylaws setting forth the duties and rights of the Committee.

**Section 2. Purposes.**

The purposes of the Committee are set forth in Prop 39, and these Bylaws are specifically made subject to the applicable provisions of Prop 39 as to the duties and rights of the Committee. The Committee shall be deemed to be subject to the Ralph M. Brown Public Meetings Act of the State of California and shall conduct its meetings in accordance with the provisions thereof. The District shall provide necessary administrative support to the Committee as shall be consistent with the Committee's purposes, set forth in Prop 39.

The proceeds of general obligation bonds issued pursuant to the election are hereinafter referred to as "bond proceeds."

**Section 3. Duties.**

To carry out its stated purposes, the Committee shall perform the following duties:

**3.1 Review Expenditures.** The Committee shall review expenditure reports produced by the District to ensure that (a) bond proceeds are expended only for the purposes set forth in the ballot measure; (b) no bond proceeds are used for any teacher or administrative salaries or other operating expenses; (c) bond proceeds are maximized.

**3.2 Annual Report.** The Committee shall present to the Board, in public session, an annual written report which shall include the following: (a) A statement indicating whether the District is in compliance with the requirements of Article XIIA, Section 1(b)(3) of the California Constitution, and (b) A summary of the Committee's proceedings and activities for the proceeding year.

## **Section 4. Authorized Activities.**

**4.1** In order to perform the duties set forth in Section 3, the Committee may engage in the following authorized activities:

- (a) Receive and review copies of the District's annual independent performance audit and annual independent financial audit, required by Article XIII A of the California Constitution.
- (b) Inspect school site facilities and grounds for which bond proceeds have been or will be expended.
- (c) Review copies of deferred maintenance proposals or plans developed by the District.
- (d) Review the District's efforts to maximize bond proceeds in ways designed to: (1) reduce costs of professional fees; (2) encourage joint use of core facilities; (3) involve cost-effectiveness and efficiencies in site design; or (4) reduce costs to the bond funds for site acquisition or construction.

**4.2** Make requests for copies or inspection of District records.

## **Section 5. Membership.**

**5.1 Number.** The Committee shall consist of a minimum of 7 members appointed by the Board of Education based on criteria established by Prop 39, to with at least: (a) one representative of the business community within the District; (b) one person active in a senior citizen's organization; (c) one person active in a bona fide taxpayers' organization; (d) one person who is a parent or guardian of a child enrolled in the District; (e) one person who is a parent or guardian of a child enrolled in the School District and is active in a Parent-Teacher Organization or School Site Council.

### **5.2 Qualifications Standards.**

To be qualified, a member must be a resident of the District and at least eighteen (18) years of age.

The Committee may not include any employee, official of the District or any vendor, contractor or consultant of the District.

**5.3 Ethics; Conflicts of Interest.** By accepting appointment to the Committee, each member agrees to comply with Articles 4 (commencing with Section 1090) and 4.7 (commencing with Section 1125) of Division 4 of Title 1 of the Government Code and the Political Reform Act (Gov. Code §§81000 et seq.) and to complete the Form 700 as required by all "designated employees" of the District.

**5.4 Term.** Except as otherwise provided herein, each member shall serve a term of two (2) years, beginning July 1. No member may serve more than two (2) consecutive terms.

At the Committee's first meeting, members will draw lots to select a minimum majority for an initial three (3) year term and the remaining members for an initial two (2) year term.

**5.5 Removal: Vacancy.** The Board may remove any Committee member for cause, including failure to attend Committee meetings. Upon a member's removal, his or her seat shall be declared vacant. The Board shall fill by appointment any vacancies on the Committee or any additional membership on the Committee.

**5.6 Compensation.** The Committee members shall not be compensated for their services.

## **Section 6. Meetings of the Committee.**

**6.1 Regular Meetings.** The Committee shall establish a schedule for the date and time of regular meetings to be held at least quarterly.

**6.2 Location.** All meetings shall be held at the Menlo Park City Elementary School District Board Room, located at 181 Encinal Ave, Atherton, California.

**6.3 Procedures.** All meetings shall be open to the public in accordance with the Ralph M. Brown Act, Government Code Section 54950 et seq. Meetings shall be conducted according to such additional procedural rules as the Committee may adopt. A majority of the number of Committee shall constitute a quorum for the transaction of any business except adjournment.

## **Section 7. District Support.**

**7.1** The District shall provide to the Committee necessary technical and administrative assistance as follows:

- (a) 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 District Board,
- (b) provision of a meeting room, including any necessary audio/visual equipment,
- (c) preparation and copies of any documentary meeting materials, such as agendas and reports, and
- (d) retention of all Committee records, and providing public access to such records on an Internet website maintained by the District.

**7.2** District staff shall attend Committee proceedings in order to report on the status of projects and the expenditures of bond proceeds.

## **Section 8. Reports.**

In addition to the Annual Report required in Section 3.2, the Committee shall report to the Board at least once per year in order to advise the Board on the activities of the Committee.

**Section 9. Officers.**

The Committee shall elect a chair and a vice-chair who shall act as chair only when the chair is absent, which positions shall continue for a one (1) year term. The vice chair shall normally succeed the chair annually.

**Section 10. Amendment of Bylaws.**

Any amendment to these Bylaws shall be approved by a vote of the Board.

**Section 11. Termination.**

The Committee shall automatically terminate and disband at the earlier of the dates when (a) all bond proceeds are spent, or (b) all projects funded by bond proceeds are completed.