

Revision
BYLAWS
of the
LODI UNIFIED SCHOOL DISTRICT
MEASURE U CITIZENS' OVERSIGHT COMMITTEE

SECTION 1. NAME

The name of this Committee shall be the Lodi Unified School District Measure U 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 is located at 1305 East Vine Street in the City of Lodi, San Joaquin County, California. The Committee may request that the Board of Education ("**Board**") approve a change in the principal office from one location to another. Any such change of location, approved by the Board, 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 monitor and report on the expenditure of Measure U bond ("**Bond**") proceeds, and to inform the public concerning the expenditure of the **B**ond proceeds.

SECTION 4. MEMBERS

This Committee shall have seven (7) members, appointed by the District Board of Education. All members shall be voting members. The members shall elect a Chairperson and a Secretary. The composition of the Committee shall meet the requirements of Education Code Section 15282. All members must reside within the boundaries of the Lodi Unified School District.

No employee or official of the district shall be appointed to the citizens' oversight committee. No vendor, contractor, or consultant of the district shall be appointed to the citizens' oversight committee.

SECTION 5. GENERAL POWERS

The Committee shall have powers and authority as established by Education Code Section 15278.

SECTION 6. POWERS

The Committee shall have the power to:

- (a) Perform any and all duties imposed on them collectively or individually by law, 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 **Bond Measure U** proceeds; and
- (d) Make recommendations to the Board **of education** regarding removal of **C**ommittee members for non-attendance as set forth in these Bylaws.

SECTION 7. ACTIONS AND REPORTS

- (a) The Committee may engage in the following activities:
- (1) Receiving and reviewing copies of the annual, independent performance audit required by subparagraph (C) of paragraph (3) of subdivision (b) of Section 1 of Article XIII A of the California Constitution.
 - (2) Receiving and reviewing copies of the annual, independent financial audit required by subparagraph (C) of paragraph (3) of subdivision (b) of Section 1 of Article XIII A of the California Constitution.
 - (3) Inspecting District school facilities and grounds to ensure that ~~B~~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.
 - (4) Reviewing efforts by the District to maximize ~~B~~bond revenues by implementing cost-saving measures, including, but not limited to:
 - (i) Mechanisms designed to reduce costs of professional fees.
 - (ii) Mechanisms designed to reduce costs of site preparation.
 - (iii) Recommendations regarding the joint use of core facilities.
 - (iv) Mechanisms designed to reduce costs by incorporating efficiencies in schoolsite design.
 - (v) Recommendations regarding the use of cost-effective and efficient reusable facility plans.
 - (5) Recommending to the ~~Board of Education~~ that a Committee Member be removed by the Board based upon violation of the Committee's attendance requirements.
- (b) The Committee shall cause an annual report to be furnished to all District ~~Governing~~ Board members, not later than 60 days after the completion of the annual audit of the year-end close of the District's financial records. The report shall contain the following summary information in appropriate detail:
- (1) Committee's ongoing review summary of activities on the expenditure of ~~B~~bond proceeds;
 - (2) Advice given to the public (annually/quarterly) whether the estimated tax to be levied exceeds \$60 per \$100,000 assessed value (Cal. Const. Art. XIII A, Section 1(b)(3).)
 - (3) Results of whether ~~B~~bond proceeds were expended on project costs and not used on teacher or administrative salaries or other operating expenses.
 - (4) Provide a copy of any report issued to the public in the event the Committee determined ~~Bond Measure U~~ funds were spent improperly or wastefully.
- (c) The annual report shall be accompanied by any report thereon of independent accountants, or, if there is no such report, the certificate of an authorized officer of the Committee that such statements were prepared without audit from the books and records of the Committee.
- (d) The Committee shall also cause, when appropriate, to be published a public report containing the information on any improper use of Bond ~~Measure U~~ proceeds. The Secretary of the Committee shall cause all reports prepared by the Committee to be provided to the Superintendent and the members of the Board upon release to the public. The Chairperson of the Committee shall present all reports to the Board ~~of Education~~. at a regularly scheduled meeting of the Board ~~of Education~~.
- (e) All documents of the Committee are considered public records consistent with the California Public Records Act and shall be made available by the Committee to the public in a manner consistent with District Board Policy 1340.

SECTION 8. TERMS OF OFFICE

Each member shall hold office for two years without compensation. A regular term of office shall begin in March commencing with the regularly scheduled March quarterly meeting and end at the close of business on the day prior to the regularly scheduled March quarterly meeting two years later. A member may apply for a second **and** up to a third two year term. No person may serve more than three **consecutive** terms. The Board ~~of Education~~ of the District shall be notified of any vacancy and shall have the sole power to fill all vacancies. Any member's term of office may be terminated at any time by a ~~unanimous~~-vote of the Board. The term of office for any member appointed to fill a vacancy, shall be the same as that of the member whose seat was vacated, except that the new member may serve a second **and** up to a third term.

SECTION 9. 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 principal office of the Committee 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 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 10. REGULAR MEETINGS

The Committee shall meet once each quarter on dates not in conflict with scheduled meeting(s) of the Board ~~of Education~~. In December of each year the Committee shall establish a standard meeting schedule and a standard meeting time for the following calendar year. The election of officers shall occur at the regularly scheduled quarterly meeting in March of every even-numbered year, except that an election may occur at any regular quarterly meeting if any office becomes vacant before the scheduled election time.

SECTION 11. SPECIAL MEETINGS

Special meetings of the Committee may be called by the Chairperson or by a majority of the members and called pursuant to Brown Act requirements.

SECTION 12. QUORUM FOR MEETINGS

~~A quorum shall consist of a majority of the members, which is four members, including the Chairperson.~~ A quorum shall consist of a majority of the members of the committee.

SECTION 13. MAJORITY ACTION AS COMMITTEE ACTION

Every act or decision done or made by a majority of the members present at a meeting duly held at which a quorum is present is ~~the~~ an act of the Committee.

SECTION 14. 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 their ~~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 ~~Directors~~ present at the meeting. The Secretary of the Committee shall act as secretary of all meetings of the Committee, provided that, in their ~~his or her~~ absence, the presiding officer shall appoint another person to act as Secretary of the meeting.

SECTION 15. VACANCIES

Vacancies on the Committee shall exist upon the death, resignation, or removal by the Board ~~of Education~~ of any member.

Any member may resign effective upon giving written notice to the Chairperson of the Committee ~~member~~, the Secretary, or the Committee, unless the notice specifies a later time for the effectiveness of such resignation.

Vacancies on the Committee may only be filled by the Board ~~of Education~~.

SECTION 16 PARTICIPATION AND ATTENDANCE REQUIREMENTS

Members are expected to share responsibilities for carrying out the work of the Committee and abide by Board policies and regulations. Members should attend all regularly scheduled meetings.

Should a Committee member fail to attend three (3) consecutive regularly scheduled ~~Committee~~ meetings, the following process shall occur:

- (a) Committee staff shall cause an item to be placed on the agenda of the next regularly scheduled meeting as follows: “Consideration of and Possible Recommendation to Remove Committee Member for Non-attendance.”
- (b) Committee staff shall issue a notice to the non-attending ~~C~~committee member stating that at the next regularly scheduling meeting, the Committee will be advised of the member’s failure to attend three (3) consecutive regularly scheduled meetings and that the Committee shall at that time consider whether to recommend to the Board ~~of Education~~ that the non-attending member be removed.
- (c) Upon a majority vote by the Committee, a recommendation, along with the minutes of the Committee meeting at which such recommendation occurs, shall be forwarded to the Board ~~of Education~~ requesting that the Board consider whether the ~~C~~committee member should be removed based on failure to attend three (3) consecutive regularly scheduled meetings of the Committee.

SECTION 17. DUTIES OF THE CHAIRPERSON OF THE COMMITTEE

The Chairperson of the Committee shall be elected by the members of the Committee. Such election shall occur every two years at the organizational meeting, or at any regular meeting, if the office becomes vacant before the end of the term. They ~~he or she~~ 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; make reports to the Board ~~of Education~~ as required by these Bylaws, statute, or as may be requested by the Board ~~of Education~~, and shall exercise and perform such other duties as may be prescribed by the Committee from time to time.

SECTION 18. DUTIES OF THE SECRETARY

The Secretary shall be elected by the members of the Committee, and 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.
- (c) See that all notices are duly given in accordance with the provisions of these Bylaws or as required by law.
- (d) Be custodian of the records.
- (e) 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 them ~~him or her~~ from time to time by the Committee.

SECTION 19. AMENDMENT OF BYLAWS

Subject to any provision of applicable law, these Bylaws, or any of them, may be recommended by majority vote of the Committee, for alteration, amendment, or repeal. Subject to any provision of applicable law, these Bylaws, or any of them, may be altered, amended, or repealed and new Bylaws adopted by approval of the Board ~~of Education~~.

CERTIFICATE

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.

Clerk of the Board