



SOUTH SAN FRANCISCO UNIFIED SCHOOL DISTRICT
398 B Street, South San Francisco, CA 94080
Office: (650) 877-8700 | Facsimile: (650) 583-4717
www.ssfusd.org

SOUTH SAN FRANCISCO UNIFIED SCHOOL DISTRICT INDEPENDENT CITIZENS' BOND OVERSIGHT COMMITTEE AMENDED AND RESTATED BYLAWS

Section 1. Committee Established. The South San Francisco Unified School District (the "District") was successful at the election conducted on November 8, 2022, in obtaining authorization from the District's voters to issue up to \$436,000,000 aggregate principal amount of the District's general obligation bonds, pursuant to a 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 is obligated to establish an Independent Citizens' Bond Oversight Committee in order to satisfy the accountability requirements of Prop 39. The Board of Trustees of the South San Francisco Unified School District (the "Board") hereby establishes the Citizens' Bond Oversight Committee (the "Committee") which shall have the duties and rights set forth in these Bylaws.

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

3.1 Review Expenditures: The Committee shall review quarterly 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 of the District.

3.2 Inform Public: The Committee shall inform the public on the District's expenditures of bond proceeds.

3.3 Annual Report: The Committee shall issue an annual written report of its activities to the board. Each report shall concern events of the preceding fiscal year and shall be distributed within one hundred twenty (120) days of the relevant fiscal year. The Annual Report shall be presented to the Board, in public session and shall include the following:

(a) A statement indicating whether the District is in compliance with the requirements of Article XIII A, Section 1(b)(3) of the California Constitution; and

(b) A summary of the Committee's proceedings and activities for the preceding year.

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Amanda Anthony · Chialin Hsieh · Daina R. Lujan · Patricia A. Murray · Mina A. Richardson



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3.4 Posting of Documents: All documents received and reports issued by the Committee shall be made available for public viewing on the District's website.

Section 4. Committee Activities.

4.1 Authorized Activities: In order to perform the duties set forth in Section 3.0, the Committee may engage in the following authorized activities:

- (a) Receive copies of the District's annual independent performance audit and annual independent financial audit, required Article XIII A of the California Constitution;
- (b) Inspect school site facilities and grounds for which bond proceeds have been or will be expended with permission from the District;
- (c) Review copies of deferred maintenance proposal or plans developed by the District;
- (d) Review the District's efforts to maximize use of Bond proceeds in ways designed to: (1) reduce costs of professional fees or site acquisition; (2) incorporate efficiencies in school site design; (3) encourage joint use of core facilities; or (4) involve cost-effective and efficient reusable facility plans;
- (e) Review any documents and proposals related to the expenditure of Measure T bond proceeds and make recommendations in accordance with its purpose and activities;
- (f) Make requests for copies or inspection of District records in writing to the District's Superintendent.

Section 5. District Duties and Support.

5.1 Duties: The Board shall have the following duties reserved to it, and the Committee shall have no jurisdiction over the following types of activities:

- (a) Approval of construction contracts;
- (b) Approval of construction change orders;
- (c) Appropriation of construction funds;
- (d) Handling of legal matters;
- (e) Approval of construction plans and schedules;
- (f) Approval of sale of bonds;
- (g) Authority to set projects or determine how bond funds are spent.

5.2 Support: The District shall provide necessary administrative and technical support to the Committee as shall be consistent with the Committee's purpose, including but not limited to:

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- (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 board;
- (b) Provision of a meeting room, including any necessary audio/visual equipment;
- (c) Preparation and copies of any documents or meeting materials, such as agendas and reports;
- (d) Retention of all Committee records and providing public access to such records on an Internet website maintained by the District;
- (e) District staff and/or District consultants shall attend Committee proceedings in order to report on the status of projects and the expenditure of bond proceeds.

Section 6. Committee Selection and Composition.

6.1 Appointment/Removal: The Board shall have sole discretion to select, appoint and remove Committee members. The Committee shall consist of a minimum of seven (7) members, appointed by the Board after an open and public recruitment process.

6.2 Number in Committee: Per Education Code Sections 15278-15282, the Committee shall include, at least:

- (a) one representative of the local business organization;
- (b) one person active in a senior citizens' organization;
- (c) one person active in a bona fide taxpayers' organization.
- (d) one member who is a parent or guardian of a child who is enrolled in the District;
- (e) one member who is a parent or guardian of a child enrolled in the District and active in a parent-teacher organization, such as the Parent Teacher Association or school site council.

6.3 Qualification Standards.

(a) To be a qualified person, he or she must be at least 18 years of age and reside within the District's geographic boundary, in accordance with Government Code Section 1020.

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

6.4 Ethics: Conflicts of Interest. By accepting appointment to the Committee, each member agrees to comply with the Committee Ethics Policy attached as Attachment A to these Bylaws.

6.5 Terms of Office: Pursuant to Education Code Section 15282, the term of office is as follows:

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(a) Committee members shall serve for a term of two (2) years beginning July 1, 2023 and no more than three (3) consecutive terms. Should a member resign her/his position before her/his term matures, the Board will appoint a new member to complete the term.

(b) At the Committee's first meeting, members will draw lots to select a minimum majority for an initial two (2) year term and the remaining members for an initial one (1) year term. This will ensure a "staggering" of the Committee membership to maintain both institutional knowledge and continued new member involvement.

6.6 Compensation: The Committee members shall not be compensated for their services.

6.7 Removal from Office: The Board may remove any Committee member for cause, including failure to attend two (2) consecutive Committee meetings without reasonable excuse or for failure to comply with the prohibition against conflict of interest as set forth in these Bylaws or failure to comply with the Committee Ethics Policy. Upon a member's removal, his or her seat shall be declared vacant. The Board, in accordance with the established appointment process shall fill any vacancies on the Committee.

6.8 Replacement of Committee Member / Vacancies: Vacancies on the Committee shall exist on the death, resignation, or removal of any member. Any member may resign effective upon giving written notice to the Chair of the Committee, or the Vice-Chair of the Committee, unless the notice specifies a later time for the effectiveness of such resignation.

(a) Vacancies on the Committee may only be filled by the Board through an application process.

(b) If a Committee position becomes vacant, the Committee Chair shall request that the Board appoint a replacement

Section 7. Committee Officers. The Committee shall elect a Chair and a Vice-Chair. The Vice Chair shall act as Chair only when the Chair is absent. These positions shall continue for two (2) year terms. No officer shall serve in a position for more than two (2) consecutive terms. Committee duties are as follows:

(a) The Chair shall call Committee meetings.

(b) The Chair shall preside over each Committee meeting, and follow the committee rules

(c) The chair, or his/her Committee-approved designee, shall serve as spokesperson for the Committee in all representations of the Committee to the public, the Board, and the media.

Section 8. Meetings of the Committee.

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8.1 Regular Meetings The Committee shall meet at least four times a year and establish a schedule for the date and time of regular meetings to be held periodically to include an annual organizational meeting to be held in July.

8.2 Location. All meetings shall be held at the District Office located at 398 B Street, South San Francisco, California or such other site within the District agreed upon by the Bond Oversight Committee without cost or hardship to the District.

8.3 Public Meeting: All meetings of the Committee shall be open to the public and shall be noticed and conducted in strict compliance with the Brown Act.

8.4 Quorum: District shall take and record roll at the beginning of each Committee meeting to determine the existence of a quorum. Actions may be undertaken at a meeting only if a quorum of seated members are present. A quorum is established when any whole number of Committee members greater than half the seated members is present. "Seated members" means the number of members set by the Board, less any who has resigned or have been removed.

8.5 Committee Voting: Unless otherwise specified in these Bylaws, an action item properly placed on the agenda may be approved by a simple majority of Committee members in attendance, a quorum being present. Members may not vote by absentee or proxy.

8.6 Rules of Procedure: Meetings shall be conducted with courtesy and decorum.

8.7 Public Participation: Any member of the public present at a meeting may address the Committee. The Chair may, at her/his discretion, choose in advance to place an equal time limit on all speakers.

(a) If a member of the audience has addressed the Committee on matters which are not on the posted agenda for that meeting, members shall refrain from discussing such matters. If the non-agenda matter raised by a member of the public concerns an issue that is within the subject matter jurisdiction of the Committee, any member may request that the Committee vote to place that matter on a future agenda.

(b) Persons addressing the Committee shall address the Committee as a whole and shall not direct comments to individual members of the Committee or to members of the audience.

(c) In the event of disorderly conduct by members of the public, the Committee may order the meeting room cleared pursuant to Government Code Section 54957.9.

8.8 Minutes: Minutes of Committee proceedings and all documents received and reports issued shall be a matter of public record and the District shall make them available on the District's website. The District shall provide administrative services to assist the Committee in preparations, distribution, and posting of minutes for all Committee meetings. Minutes published before adoption of minutes by the Committee shall always be labeled "Unadopted Draft Minutes."

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8.9 Attendance: Regular attendance at Committee meetings is a fundamental obligation of every member of the Committee. Absences are disruptive to Committee activity and representation. Failure to attend two (2) consecutive meetings without acceptable reason announced in advance shall constitute due cause for member removal.

Section 9. Amendment of Bylaws. Any amendment to these Bylaws shall be approved by a majority vote of the Board.

Section 10. Termination. The Committee shall automatically terminate and disband at the earlier of the date when (a) all bond proceeds are spent, or (b) all projects funded by bond proceeds are completed.

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ATTACHMENT A

MEASURE T CITIZENS' BOND OVERSIGHT COMMITTEE ETHICS POLICY STATEMENT

This Ethics Policy Statement provides general guidelines for Committee members in carrying out their responsibilities. Not all ethical issues that Committee members face are covered in this Statement. However, this Statement captures some of the critical areas that help define ethical and professional conduct for Committee members. The provisions of this Statement were developed from existing laws, rules, policies and procedures as well as from concepts that define generally accepted good business practices. Committee members are expected to strictly adhere to the provisions of this Ethics Policy.

POLICY

- **CONFLICT OF INTEREST.** A Committee member shall not make or influence a District decision related to: (1) any contract funded by bond proceeds, or (2) any District construction project which will benefit the committee member's outside employment, business, or a personal finance or benefit an immediate family member, such as a spouse, child or parent.
- **OUTSIDE EMPLOYMENT.** A Committee member shall not use his or her authority over a particular matter to negotiate future employment with any person or organization that relates to: (1) any contract funded by Bond proceeds, or (2) any District construction project. A Committee member shall not make or influence a District decision related to any construction project involving the interest of a person with whom the member has an agreement concerning current or future employment, or remuneration of any kind. For a period of two (2) years after leaving the Committee, a former Committee member may not represent any person or organization for compensation in connection with any matter pending before the District that, as a Committee member, he or she participated in personally and substantially. Specifically, for a period of two (2) years after leaving the Committee, a former Committee member and the companies and businesses for which the member works shall be prohibited from contracting with the District with respect to: (1) bidding on projects funded by the bond proceeds; and (2) any District construction project.
- **COMMITMENT TO UPHOLD LAW.** A Committee member shall uphold the federal and California Constitutions, the laws and regulations of the United States and the State of California (particularly the Education Code) and all other applicable government entities, and the policies, procedures, rules and regulations of the South San Francisco Unified District.
- **COMMITMENT TO DISTRICT.** A Committee member shall place the interests of the District above any personal or business interest of the member.

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