San Ysidro School District EST - 1887

QUALITY EDUCATION AND OPPORTUNITY FOR ALL STUDENTS TO SUCCEED

CITIZENS' BOND OVERSIGHT COMMITTEE

Zoom Teleconference Meeting

October 14, 2021

MEETING MATERIALS

San Ysidro School District EST - 1887

QUALITY EDUCATION AND OPPORTUNITY FOR ALL STUDENTS TO SUCCEED

TO: Citizens' Bond Oversight Committee

MEETING DATE: October 14, 2021

FROM: Marilyn Adrianzen
Chief Business Official

☒ Proposition C ☒ Measure T ☒ Measure U

☐ Informational ☒ Action

AGENDA ITEM: MINUTES

BACKGROUND INFORMATION:

The purposes of the Committee are set forth in Proposition 39 and Bylaws are specifically made subject to the applicable provisions of Proposition 39 as to the duties and rights of the Committee. Minutes of the proceedings of the Committee and all documents received and reports issued shall be a matter of public records and be made available on an internet website maintained by the Governing Board of the San Ysidro School District.

COST IMPLICATION:

N/A

RECOMMENDATION:

Review and approve the Citizens' Bond Oversight Committee's Minutes of August 19, 2021.

SAN YSIDRO SCHOOL DISTRICT
4350 Otay Mesa Road San Ysidro, CA 92173

REGULAR MEETING OF THE CITIZENS' BOND OVERSIGHT COMMITTEE
THURSDAY, AUGUST 19, 2021 at 6:00 p.m.
Via Zoom Teleconference

MINUTES

Pursuant to Governor Newsom's Executive Order N-29-20, this meeting of the San Ysidro School District - Citizens' Bond Oversight Committee shall be held by teleconference. San Ysidro School District Citizens' Bond Oversight Committee Members and the public shall participate in this meeting via teleconference. The Public may view this meeting by accessing the following link https://www.youtube.com/channel/UCGyF01068pwbhe-B5xnyl-A/videos. Public comment may be submitted by email to publiccomment@sysdschools.org on or before Thursday, August 19, 2021 at 3:00 p.m. Public wanting to address the Citizens' Bond Oversight Committee telephonically, may submit the Public Comment Request Form:https://forms.gle/e1eC5R8kJmc9kzik8 on or before Thursday, August 19, 2021 at 3:00 p.m. Any meeting participant who engages in disorderly conduct which disturbs the peace and good order of the meeting, or refuses to comply with the lawful orders of the Board may be ordered removed from the meeting, and may be guilty of a misdemeanor (Cal. Penal Code Sec. 403). To listen to this meeting in Spanish, please call 1-443-461-5583 and enter the access code 362734574#. Para escuchar esta junta en español, llame al 1-443-461-5583 y marque el código de acceso 362734574#.

THIS MEETING WILL BE RECORDED

1. **CALL TO ORDER** By Ms. McKearney, Vice-Chair Time: 6:00 p.m.

2. **ROLL CALL** by Marilyn Adrianzen, SYSD Chief Business Official
   Ricardo Macedo, Chairperson - Present (Joined at 6 p.m.)
   Gloria McKearney, Vice Chairperson - Present
   Leticia Gomez, Member - Present
   Hilario Rodriguez, Member - Present
   Kenneth Johnson, Member - Present (Left at 6:32 p.m.)
   Manuel Lopez Jr., Member - Absent
   Holden Robbins, Member - Present

3. **AGENDA**
   Corrections and additions to the agenda.
   The Committee approved the agenda for the meeting.

   Motion: McKearney Second: Johnson Vote: 6/0

4. **FLAG SALUTE** by Chairperson

5. **PUBLIC COMMENT/COMMUNICATIONS WITH THE CITIZENS' BOND OVERSIGHT COMMITTEE**
   Persons who want to comment on topics not included on the agenda or comment on agendized topics are invited to submit comments via email to the following email address publiccomment@sysdschools.org on or before Thursday, August 19, 2021 at 3:00 pm. Please type "BOC" in the subject line of your email. Please limit comments to 300 words or less. All comments submitted will be read aloud during the meeting. ☏ Public wanting to address the Citizens' Bond Oversight Committee telephonically, may submit the Public Comment Request Form: https://forms.gle/e1eC5R8kJmc9kzik8 on or before Thursday, August 19, 2021 at 3:00 p.m. All comments submitted will be read aloud during the meeting. If your comment is related to a specific Agenda item, please identify the Agenda item in your email or telephonic form. Please note, all email correspondence and telephonic forms relating to this meeting will become part of the Citizens' Bond Oversight Committee minutes.
   - No public comments

6. REPORTS/PRESENTATIONS

6.1 Long Range Master Facilities Plan and Implementation Plan - WLC Architects President, Mr. Jim DiCamillo
The Long Range Master Facilities Implementation Plan for Measure T & Measure U was approved by the District's Governing Board on June 24, 2021. A copy of the Implementation Plan was provided to the Committee Members.

6.2 Construction Procurement Methods for Local Educational Agencies Presentation - Legal Counsel, Ty Dorward of Best, Best & Krieger.

6.3 Project Labor Agreements Process Presentation - Legal Counsel, Ty Dorward of Best, Best & Krieger.

6.4 District Projects Presentation - Tom Silva, Consultant

7. MINUTES

The Committee approved the Minutes of the Citizen's Bond Oversight Committee Meeting of May 20, 2021.

Motion: McKearney Second: Gomez Vote: 4/1/1
(Mr. Rodriguez Abstained - Lost connectivity and Mr. Johnson left the meeting at 6:32 p.m.)

8. EXPENDITURE REPORT (Adrianzen)

Information only. *Ms. Adrianzen reviewed the expenditure report with the Committee.*

9. BOND AUDITORS (Adrianzen)

Information only. *Ms. Adrianzen shared that an informal bid was performed for the Bond Audit and Wilkinson Hadley King & Co. LLP Auditors were selected.*

10. MEETING SCHEDULE FOR 2021-22 - REVISED (Adrianzen)

The Committee approved the revised Bond Oversight Committee Meetings schedule for 2021-22. *The Meeting in October was changed to October 14, 2021.*

Motion: McKearney Second: Robbins Vote: 5/0

11. FUTURE AGENDA ITEM REQUESTS *Committee members can request that an item be added in the agenda for a future BOC meeting. If the Committee agrees to add a specific bond related item to the agenda, the item will be included in the upcoming meeting.*

- *No future agenda items were requested.*

12. ADJOURNMENT Time: 7:46 p.m.

Motion: Robbins Second: Gomez Vote: 5/0

Respectfully Submitted,

Marilyn Adrianzen, Chief Business Official

In compliance with the Americans with Disabilities Act, if you need special assistance, disability-related modifications or accommodations, including auxiliary aids or services, In order to participate in the public meetings of the District's Citizen's Bond Oversight Committee Meetings, please contact the office of the District's Chief Business Official at (619) 428-4476. Notification 72 hours prior to the meeting will enable the District to make reasonable arrangements to ensure accommodation and accessibility to this meeting. Upon request, the District shall also make available this agenda and all other public records associated with this meeting in appropriate alternative formats for persons with a disability. Notification 72 hours prior to the meeting for Spanish translation services at the Committee meeting may also be requested by contacting (619) 428-4476 extension 3003. *(Si requiere servicio de traducción a español para la Junta del Comité, necesita solicitar estos servicios 72 horas antes de la junta. Favor de llamar al 619-428-4476 x3003.)*

San Ysidro
School District EST - 1887
QUALITY EDUCATION AND OPPORTUNITY FOR ALL STUDENTS TO SUCCEED

TO: Citizens' Bond Oversight Committee

FROM: Marilyn Adrianzen
Chief Business Official

MEETING DATE: October 14, 2021

☒ Proposition C ☒ Measure T ☒ Measure U

☒ Informational ☐ Action

AGENDA ITEM: EXPENDITURE REPORT

BACKGROUND INFORMATION:
On March 4, 1997, the voters of the San Ysidro School District authorized Proposition C (Prop C) for the issuance of \$250 million in general obligation bonds. The net proceeds of the Bonds are intended to be used to acquire and improve real property for authorized school purposes.

On March 3, 2020, the voters of the San Ysidro School District authorized Measure T (\$52,985,000) and Measure U (\$55,500,000) for the issuance of general obligation bonds. The net proceeds of the Bonds are intended to be used to make student safety and school security improvements; upgrade classroom technology; and reconstruct or replace roofs and plumbing; construct, rehabilitate, acquire, equip and furnish classrooms and school facilities

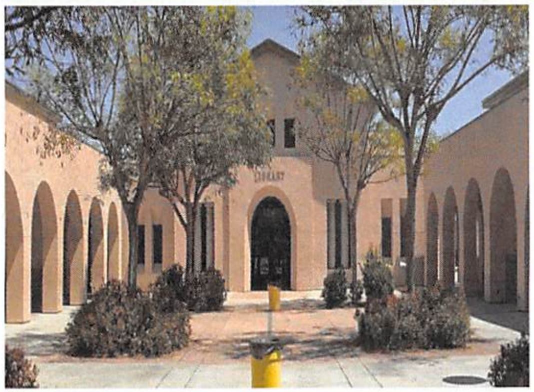
Expenditures incurred by the District during the period of August 5, 2021 to October 4, 2021 are reflected in the attached report provided by California Financial Services (KeyAnalytics).

RECOMMENDATION:
Information only.

SAN YSIDRO SCHOOL DISTRICT

General Obligation Bond Authorizations

Proposition C , Measure T & Measure U



Citizens' Bond Oversight Committee Report

(Financial data as of 10/4/2021)

October 14, 2021 Meeting

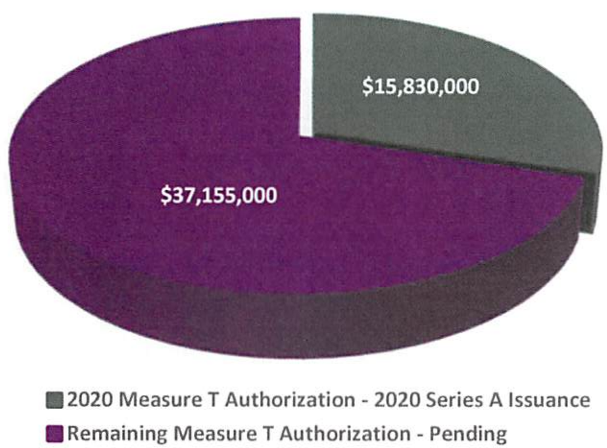
2020 GENERAL OBLIGATION BONDS

Measure T Overview

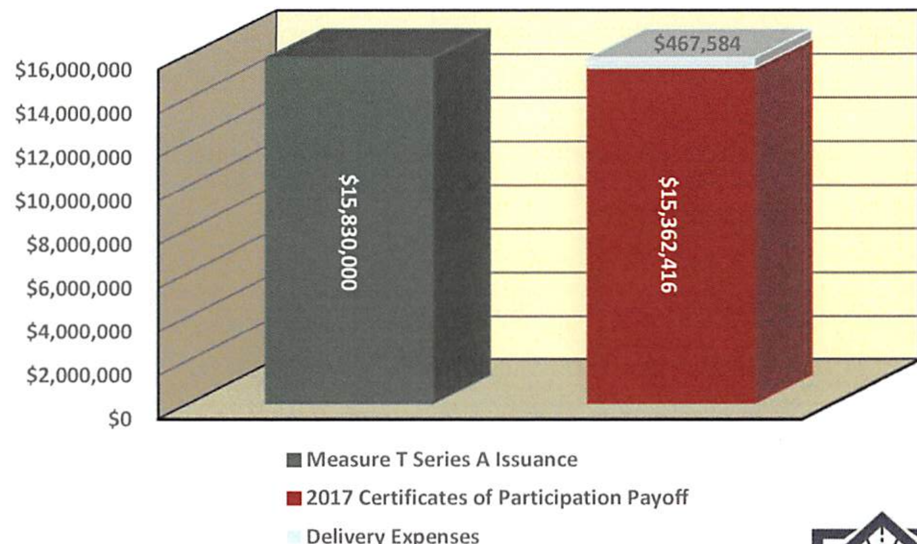
On March 3, 2020, the voters of the San Ysidro School District (the "District") authorized Measure T under the Proposition 39 statutes. Measure T authorized the issuance of $52,985,000 in General Obligation Bonds (the "Bonds"). The net proceeds of the Bonds are intended to be used to make student safety and school security improvements; upgrade classroom technology; and construct, rehabilitate, acquire, equip and furnish classrooms and school facilities. Measure T was approved by 70.09% of the voters of the San Ysidro School District. The highest tax rate which would be required to be levied to fund this bond issue is $0.030 per $100 of assessed valuation (or $30.00 per $100,000 of assessed valuation).

On September 17, 2020, the District issued its 1st series of Measure T G.O. Bonds ("Series A") in the amount of $15,830,000. The proceeds of the Series A Bonds are expected to be used to pay the interest due on the District's 2017 Certificates of Participation ("COPs") through September 1, 2022; and pay off the outstanding balance of the 2017 COPs on September 1, 2022.

$52,985,000 Measure T Breakdown



Measure T Series A Issuance = $15,830,000



KeyAnalytics

MEASURE T GENERAL OBLIGATION BONDS

Fund 21 Revenue Summary

	Amount
Measure T G.O. Bond	$52,985,000.00
Measure T (Series A) Bonds Issued	$15,830,000.00
Unissued Measure T G.O. Bonds	$37,155,000.00
Measure T (Series A) Bonds Issued	$15,830,000.00
Less: Delivery Expenses	-$467,583.93
Less: 2017 Certificates of Participation Payoff	-$15,362,416.07
Measure T (Series A) Fund Balance (as of 8-4-21)	$0.00

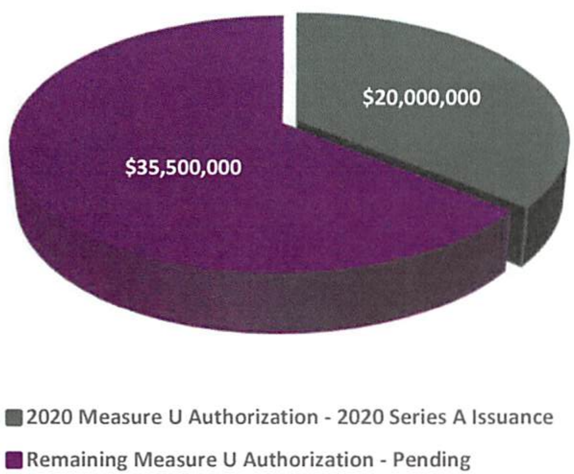
2020 GENERAL OBLIGATION BONDS

Measure U Overview

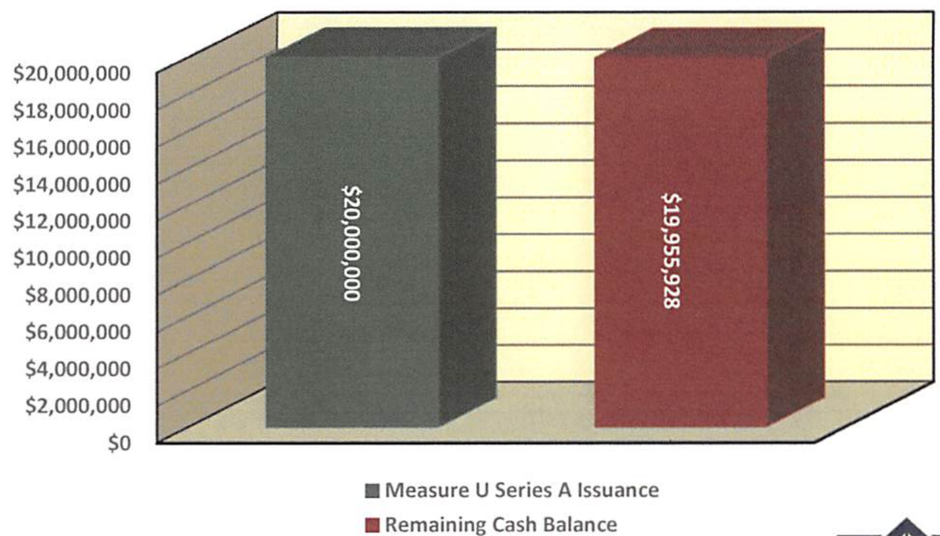
On **March 3, 2020**, the voters of the San Ysidro School District (the "District") authorized **Measure U** under the **Proposition 39 statutes**. Measure U authorized the issuance of **$55,500,000** in General Obligation Bonds (the "Bonds"). The net proceeds of the Bonds are intended to be used to reconstruct or replace roofs and plumbing and construct, rehabilitate, replace, acquire, equip and furnish classrooms and school facilities. **Measure U** was approved by **68.9%** of the voters of the San Ysidro School District. The highest tax rate which would be required to be levied to fund this bond issue is $0.030 per $100 of assessed valuation (or **$30.00 per $100,000 of assessed valuation**).

On September 17, 2020, the District issued its 1st series of Measure U G.O. Bonds ("Series A") in the amount of $20,000,000. The proceeds of the Series A Bonds are expected to be used to fund improvements to and the acquisition of equipment and furnishings for various schools within the District as authorized by the voters.

$55,500,000 Measure U Breakdown



Measure U Series A Issuance = $20,000,000



MEASURE U GENERAL OBLIGATION BONDS

Fund 21 Revenue Summary

	Amount
Measure U G.O. Bond	$55,500,000.00
Measure U (Series A) Bonds Issued	$20,000,000.00
Unissued Measure U G.O. Bonds	$35,500,000.00
Measure U (Series A) Bonds Issued	$20,000,000.00
Less: Delivery Expenses	-$150,041.59
Less: Project Expenses	-$52,500.00
Add: Accumulated Interest/Deposits	$158,469.49
Measure U (Series A) Fund Balance (as of 10-4-21)	$19,955,927.90

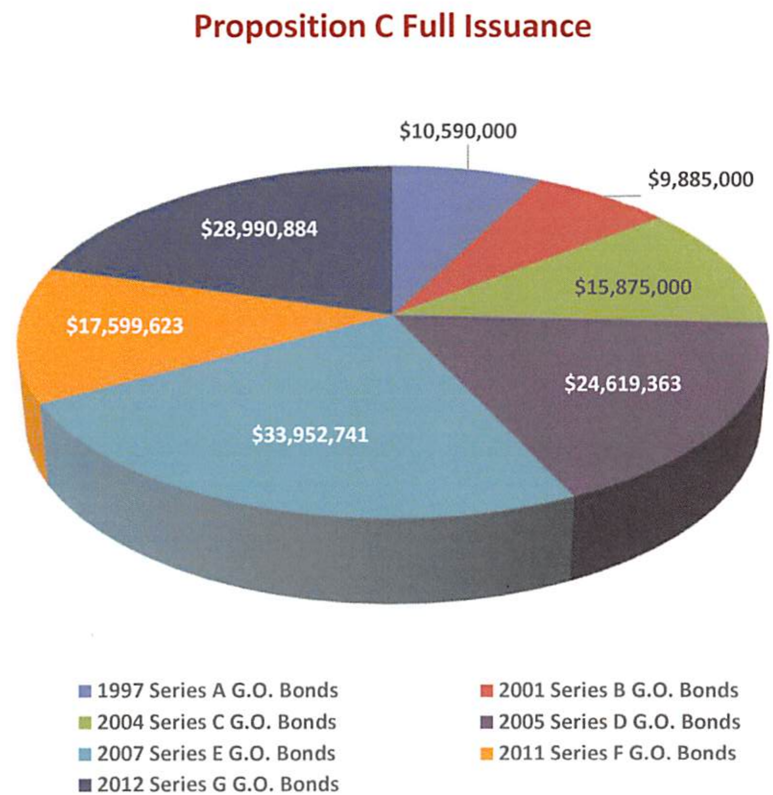
1997 GENERAL OBLIGATION BOND MEASURE

Proposition C Overview

On March 4, 1997, the voters of the San Ysidro School District (the "District") authorized **Proposition C** under the Proposition 46, which has a 2/3rd voters approval threshold. Proposition C authorized the issuance of **$250 million** in General Obligation Bonds (the "Bonds"). The net proceeds of the Bonds are intended to be used to acquire and improve real property for authorized school purposes; provided, that at the time any series of bonds is issued the highest tax rate required to service that series and all outstanding bonds authorized by this measure shall not exceed $0.10 per $100 in assessed value.

On March 3, 2020, the San Ysidro School District placed **Measure T** and **Measure U** on the ballot to replace bonds previous authorized under Proposition C in 1997. Both bonds were approved by the voters.

As such, the remaining authorization of $108,487,390 under Proposition C ceases to exist.



1997 GENERAL OBLIGATION BOND MEASURE

Proposition C – Issuance Amounts and Timelines

	Bond Series	Issuance Date	Total Issuance Amount
1	General Obligation Bonds, Election of 1997, Series 1997 (Series A)	August 1997	$10,590,000.00
2	General Obligation Bonds, Election of 1997, Series 2001 (Series B)	June 2001	9,885,000.00
3	General Obligation Bonds, Election of 1997, Series 2004 (Series C)	September 2004	15,875,000.00
4	General Obligation Bonds, Election of 1997, Series 2005 (Series D)	February 2005	24,619,362.80
5	General Obligation Bonds, Election of 1997, Series 2007 (Series E)	December 2007	33,952,740.90
6	General Obligation Bonds, Election of 1997, Series 2011 (Series F)	June 2011	17,599,622.90
7	General Obligation Bonds, Election of 1997, Series 2012 (Series G)	May 2012	28,990,883.60
	TOTAL BONDS ISSUED & PROJECT FUNDS GENERATED:		$141,512,610.20

TOTAL PROPOSITION C GO BOND AUTHORIZATION:	$250,000,000.00
LESS: BONDS ISSUED TO DATE:	141,512,610.20
UNISSUED PROPOSITION C GO BONDS:	$108,487,389.80
MEASURE T & MEASURE U REPLACEMENT:	(108,487,389.80)
UNISSUED PROPOSITION C GO BONDS:	$0.00

1997 GENERAL OBLIGATION BOND MEASURE

Proposition C – Fund 21 Revenue Summary

PROPOSITION C FUND BALANCE ON 8/4/2021:	$7,964.01
LESS: PROJECT EXPENDITURES SINCE LAST PERIOD	0.00
PLUS: FUND INCREASES SINCE LAST PERIOD	1.00
PROPOSITION C FUND BALANCE AS OF 10/4/2021:	**$7,965.01**

San Ysidro School District EST - 1887

QUALITY EDUCATION AND OPPORTUNITY FOR ALL STUDENTS TO SUCCEED

TO: Citizens' Bond Oversight Committee

MEETING DATE: October 14, 2021

FROM: Marilyn Adrianzen
Chief Business Official

☒ Proposition C ☒ Measure T ☒ Measure U

☒ Informational ☐ Action

AGENDA ITEM: AMENDED AND RESTATED BOND OVERSIGHT COMMITTEE BYLAWS

BACKGROUND INFORMATION:

The District established an independent citizen's bond oversight committee for Proposition C and for Measures T and U as required by Proposition 39 and the Bylaws which set forth the power and responsibilities of each measure's Committee.

However, in the interest of transparency and accountability to the public and community it serves, these Amended and Restated Bylaws harmonize, supersede and amend the previously adopted individual bond measure bylaws for the San Ysidro School District's Independent Citizen's Bond Oversight Committee into one document. Legal Counsel (BBK) has reviewed and approved the amended and restated Bylaws.

On September 9, 2021, the Governing Board of the San Ysidro School District approved the amended and restated Bylaws for the Citizen's Bond Oversight Committee combining the previously approved bylaws for Measure T, Measure U and Proposition C into one document hereafter referred to as "Bylaws".

COST IMPLICATION:

N/A

RECOMMENDATION:

Information Only.

AMENDED AND RESTATED BYLAWS
FOR THE BOND OVERSIGHT COMMITTEE

Section 1. Introduction. These Amended and Restated Bylaws harmonize, supersede and amend the previously adopted individual bond measure bylaws for the San Ysidro School District's Independent Citizen's Bond Oversight Committee (the "Committee").

Section 2. Establishment of Committee. In 1997, the San Ysidro School District (the "District") voters approved the District's first bond measure, Proposition C, which authorized the District to sell up to $250 million in General Obligation Bonds to finance the acquisition and improvement of real property for authorized school purposes. From 1997 to 2015 the District issued nine series of GO bonds totaling approximately $217 million. Since these bonds were passed prior to Proposition 39 in 2000 (Smaller Classes, Safer Schools and Financial Accountability Act), an independent citizen's bond oversight committee was not required by State Law nor was there such provisions in the measure approved by the voters. However, the District's governing board ("Board") ultimately formed the Committee for Proposition C in order to implement a recommendation of the "Grand Jury Audit of the San Ysidro School District Bonds" Based upon the Grand Jury recommendations, the Committee for Proposition C was formed in accordance with the provisions and requirements of Article 2 of Chapter 1.5 of Part 5 of Division 1 of Title 1 of the California Education Code 15264 et seq., (hereinafter the "Law") and pursuant to Education Code Section 35160 which governs Oversight Committees established pursuant to Proposition 39 in 2000 (Smaller Classes, Safer Schools and Financial Accountability Act). The Committee was originally formed in April 2019, and the original bylaws for the Committee were approved by the Board in December 2018.

On March 3, 2020, the voters of the San Ysidro School District (the "District") authorized Measure T and Measure U under the Proposition 39 statutes. Measure T ($52,985,000) and Measure U ($55,500,000) authorized the issuance of $108,485,000 million in General Obligation Bonds (the "Bonds") which will replace the Proposition C unissued bonds. The Election was conducted in accordance with the Strict Accountability in Local School Construction Bonds Act of 2000, Section 15264 *et seq.* of the Education Code of the State ("Proposition 39"). Pursuant to Section 15278 of the Education Code, the District is obligated to establish an independent citizens' oversight committee in order to satisfy the accountability requirements of Proposition 39. Subsequently, on April 16, 2020, the Board took action formally appointing the Committee to also serve as the independent citizen's oversight committee for Measures T and U, and adopted a set of bylaws for each measure to govern the activities of the Committee. In order to harmonize the individual bylaws adopted separately for Proposition C, Measure T and Measure U (collectively, the "Bond Measures"), the Board has now formally adopted these Amended and Restated Bylaws (the "Bylaws") to govern the Committee's oversight activities for all three Bond Measures.

Section 3. Purposes. The purposes of the Committee are set forth in Proposition 39, and these Bylaws are specifically made subject to the applicable provisions of Proposition 39 as to the duties and rights of the Committee. Minutes of the proceedings of the Committee and all documents received and reports issued shall be a matter of public record and be made available on an internet website maintained by the Board. The District shall provide necessary administrative support to the Committee as shall be consistent with the Committee's purposes, as set forth in Proposition 39.

The proceeds of general obligation bonds issued pursuant to the Election are hereinafter referred to as "bond proceeds." The Committee shall confine itself specifically to monitoring the expenditure of bond proceeds generated under the Bond Measures. Projects undertaken with monies generated from sources other than bond proceeds shall fall outside the scope of the Committee's review.

Section 4. Duties. To carry out its stated purposes, the Committee shall perform the duties set forth in Sections 4.1, 4.2 and 4.3 below and shall observe the limitations set forth in Sections 4.4 and 4.5 below.

4.1 Inform the Public. The Committee shall inform the public concerning the District's expenditure of bond proceeds. In fulfilling this duty, all official communications to either the Board or the public shall come from the Chair acting on behalf of the Committee. The Chair shall only release information that reflects the consensus view of the Committee.

4.2 Review Expenditures. The Committee shall review expenditure reports produced by the District to ensure that (a) bond proceeds were expended only for the purposes set forth in the Bond Measures; and (b) no bond proceeds were used for any teacher or administrative salaries or other operating expenses.

4.3 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 XIIIA, Section 1(b)(3) of the California Constitution; and

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

4.4 Duties of the Board and/or Superintendent. Either the Board or the Superintendent, as the Board shall determine, shall have the following powers reserved to it, and the Committee shall have no jurisdiction over the following types of activities:

(a) Approval of contracts,

(b) Approval of change orders,

(c) Expenditure of bond proceeds,

(d) Handling of all legal matters,

(e) Approval of project plans and schedules,

(f) Approval of all deferred maintenance plans, and

(g) Approval of the sale of bonds.

4.5 Bond Measure Projects Only. In recognition of the fact that the Committee is charged with overseeing the expenditure of bond proceeds, the Board has not charged the Committee with responsibility for:

(a) Projects financed without bond proceeds either through the State of California, developer fees, tax increment revenues, certificates of participation, special taxes, lease/revenue bonds, the District general fund or other sources, which shall be outside the authority of the Committee.

(b) The establishment of priorities and order of construction for the projects to be funded with bond proceeds, which shall be made by the Board in its sole discretion.

(c) The selection of architects, engineers, soils engineers, construction managers, project managers, CEQA consultants and such other professional service firms as are required to complete the projects funded with bond proceeds which shall be based on criteria established by the Board in its sole discretion.

(d) The approval of the design for each project including exterior materials, paint color, interior finishes, site plan and construction methods (modular vs. permanent) which shall be determined by the Board in its sole discretion.

(e) The selection of independent audit firm(s), performance audit consultants and such other consultants as are necessary to support the activities of the Committee which shall be determined by the Board in its sole discretion and may be the audit firm that audits the District's financial statements.

(f) The approval of an annual budget for the Committee that is sufficient to carry out its activities which shall be determined by the Board in its sole discretion.

(g) The appointment or reappointment of qualified applicants to serve on the Committee, subject to legal limitations, which shall be based on criteria adopted in the Board's sole discretion as part of carrying out its function under Proposition 39.

Section 5. Authorized Activities.

5.1 In order to perform the duties set forth in Sections 4.1, 4.2 and 4.3 above, the Committee may engage in any of the activities authorized under Proposition 39 including the following:

(a) Receive and review copies of the District's annual independent performance audit and annual independent financial audit as required by Article XIIIA of the California Constitution.

(b) Inspect school facilities and grounds for which bond proceeds have been or will be expended, in accordance with any access procedure established by the District's Superintendent, in order to ensure that bond proceeds are expended in accordance with the requirements of Article XIIIA of the California Constitution.

(c) Receive and review copies of any deferred maintenance proposals or plans for facilities financed with bond proceeds.

(d) Review efforts by the District to maximize bond proceeds by implementing various cost-saving measures, including, but not limited to, those set forth in Section 15278(c)(5) of the Education Code.

Section 6. Membership.

6.1 Number. The Committee shall consist of seven (7) members appointed by the Board in such manner as the Board determines, and based on criteria established by Proposition 39, which provides that:

- ☐ One (1) member shall be the parent or guardian of a child enrolled in the District.
- ☐ One (1) member shall be both a parent or guardian of a child enrolled in the District and active in a parent-teacher organization, such as the P.T.A. or a school site council.
- ☐ One (1) member shall be active in a business organization representing the business community located in the District.
- ☐ One (1) member shall be active in a senior citizens' organization.
- ☐ One (1) member shall be active in a bona-fide taxpayers association.
- ☐ Two (2) members shall be from the community at-large.

6.2 Qualification Standards.

(a) To be a qualified person, a Committee member must be at least 18 years of age.

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

6.3 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 Chapter 1 of Division 4 of Title 1 of the Government Code. Additionally, each member shall comply with the Committee Ethics Policy attached as "Attachment A" to these Bylaws.

6.4 Term. Each member shall serve a minimum term of two (2) years, calculated as commencing on the date of the adoption of these Amended and Restated Bylaws and subject to any future action by the Board to amend the length of the term of any individual Committee member. Upon the expiring term of a member, such member may be appointed for a new two (2) year term or a new member may be selected for a two (2) year term. No member may serve more than three (3) consecutive terms.

6.5 Appointment. The initial members of the Committee shall be those members of the Proposition C Committee. With respect to any vacancies and future appointments, Members of the Committee shall be appointed by the Board through the following process: (a) appropriate local groups and community members will be solicited for applications; (b) the Superintendent will review the applications; (c) the Superintendent will make recommendations to the Board; and (d) the Board shall appoint the members of the Committee.

6.6 Removal; Vacancy. The Board may remove any Committee member for any reason, including failure to attend two consecutive Committee meetings without reasonable excuse or for 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. Vacancies shall be filled within 90 days from the initial date of each such vacancy. Any person appointed to fill a vacancy shall serve for the remainder of the term of the member whose position is being filled.

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

7.8 Authority of Members. (a) Committee members shall not have the authority to direct staff of the District, (b) individual members of the Committee retain the right to address the Board, either on behalf of the Committee or as an individual, and (c) the Committee may only request copies of reports and documents which have been previously presented to the Board and which are a public record.

Section 7. Meetings of the Committee.

7.1 Regular Meetings. The Committee shall meet at least once a year but no more frequently than quarterly unless requested by the Board to meet more often. This does not prohibit the Committee from holding a special meeting if needed.

7.2 Location. All meetings shall be held within the boundaries of the District except that Committee members may participate by teleconference as set forth in Section 7.3 below.

7.3 Procedures. All meetings shall be open to the public in accordance with the *Ralph M. Brown Act*, Government Code Section 54950 *et seq.* (the "Brown Act") and may be noticed and conducted in any manner that is consistent with the Brown Act, as modified by any emergency declaration of the Governor of the State of California or other authorized officer of the State, including by teleconference. A majority of the number of Committee members shall constitute a quorum for the transaction of any business of the Committee.

Section 8. District Support.

8.1 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 *Ralph M. 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, translation 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.

8.2 District staff and/or District consultants shall attend Committee proceedings in order to report on the status of projects and the expenditures of bond proceeds.

8.3 No bond proceeds shall be used to provide District support to the Committee.

Section 9. Reports. In addition to the Annual Report required in Section 4.3, the Committee may report to the Board from time to time in order to advise the Board on the activities of the Committee. The Annual Report shall be in writing and shall summarize the proceedings and activities conducted by the Committee.

Section 10. Officers. The Superintendent shall appoint the initial Chair to serve for an initial two (2) year term. The Committee shall elect an initial Vice-Chair. Thereafter, the Committee shall elect a Chair and a Vice-Chair who shall act as chair only when the Chair is absent.

Section 11. Amendment of Bylaws. Any amendment to these Bylaws shall be approved by a majority vote of the Board.

Section 12. Termination. The Committee shall automatically terminate and disband 180 days after all bond proceeds from the Bond Measures are spent.

ATTACHMENT A

BOND OVERSIGHT COMMITTEE
ETHICS POLICY STATEMENT

This Ethics Policy Statement provides general guidelines for members of the Bond Oversight Committee (the "Committee") established by the San Ysidro School District (the "District") 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 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 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 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 District;

□ COMMITMENT TO DISTRICT. A Committee member shall place the interests of the District above any personal or business interest of the member.

San Ysidro
School District EST - 1887

QUALITY EDUCATION AND OPPORTUNITY FOR ALL STUDENTS TO SUCCEED

TO: Citizens' Bond Oversight Committee

MEETING DATE: October 14, 2021

FROM: Marilyn Adrianzen
Chief Business Official

☒ Proposition C ☒ Measure T ☒ Measure U

☒ Informational ☐ Action

AGENDA ITEM: COMMITTEE MEMBER'S 2ND TERM

BACKGROUND INFORMATION:
Pursuant to Section 6.4 of the Citizen's Independent Bond Oversight Committee Bylaws, each member shall serve a minimum term of two (2) years, commencing on the date of the adoption of the Amended and Restated Bylaws and subject to any future action by the Board to amend the length of the term of any individual Committee member. Upon the expiring term of a member, such member may be appointed for a new two (2) year term, or a new member may be selected for a two (2) year term. No member may serve more than three (3) consecutive terms.

An Interest Form will be provided to Committee Members to indicate their interest in serving a 2nd term.

RECOMMENDATION:
For information and discussion only. (*Legal counsel, Mr. Tyree Dorward of Best, Best, and Krieger will provide information on the Committee's appointment, term renewal, or filling of vacant positions.*

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CITIZEN'S INDEPENDENT BOND OVERSIGHT COMMITTEE
2ND TERM INTEREST FORM

❑ **Yes**. I am interested in serving a 2nd Term in the Citizen's Independent Bond Oversight Committee which includes 2021-22 and 2022-23.

❑ **No.** I am not interested in serving a 2nd Term in the Citizen's Independent Bond Oversight Committee.

❑ **Other (Please explain):** ______________________________

____

____

____

________________________________ ________________
Signature Date

________________________________ ________________
Print Name Telephone No.