CABRILLO UNIFIED SCHOOL DISTRICT

498 Kelly Avenue, Half Moon Bay, California 94019 • 650 712-7100 • www.cabrillo.k12.ca.us

INTERIM SUPERINTENDENT
Dr. Ramon Miramontes

GOVERNING BOARD
Mary Beth Alexander
Peter Cerneka
Lizet Cortes
Carmen Daniel
Breanna Lafontaine

MEMORANDUM

MEETING DATE: May 15, 2025
TO: Members of the Governing Board
FROM: Jennifer Marsh, Chief Business Officer
CATEGORY: Action
ITEM TITLE: Approval of Resolution 18-2025, Amending Bylaws for the Bond & Parcel Tax Citizens' Oversight Committee

BACKGROUND INFORMATION

Cabrillo Unified School District was successful in obtaining voter authorization to issue general obligation bonds under Measure S (June 5, 2012), Measure M (June 5, 2018), and Measure K (November 5, 2024), pursuant to Proposition 39. Each measure required the establishment of a Citizens' Oversight Committee to ensure transparency and proper expenditure of bond proceeds.

Additionally, on November 5, 2024, voters approved Measure N, which replaces the existing parcel tax (Measure I) with a new $198 per parcel per year tax for eight years. Measure N requires the establishment of an independent oversight committee to ensure funds are used for voter-approved purposes.

REPORT/PROPOSAL

To streamline oversight and align with voter-approved requirements, staff recommends that the Board amend and reinstate the current Citizens' Oversight Committee Bylaws. The revised Bylaws consolidate the oversight responsibilities for Measures S, M, K, I, and N under the existing Committee. This action formally expands the Committee's scope and ensures compliance with Education Code §15278 and Measure N requirements.

FISCAL ANALYSIS

There is no direct fiscal impact associated with the amendment and restatement of the Bylaws.

RECOMMENDATION

Staff recommends adopting Resolution No. 18-2025, amending, and restating the Bond & Parcel Tax Citizens' Oversight Committee Bylaws to consolidate oversight responsibilities for Measures S, M, K, I, and N.

Prepared by: *Holly Lynne*

RESOLUTION NO. 18-2025
BEFORE THE GOVERNING BOARD
OF THE CABRILLO UNIFIED SCHOOL DISTRICT
SAN MATEO COUNTY, CALIFORNIA

RESOLUTION OF THE BOARD OF TRUSTEES
OF THE CABRILLO UNIFIED SCHOOL DISTRICT
AMENDING THE CITIZENS' OVERSIGHT COMMITTEE BYLAWS

WHEREAS, Cabrillo Unified School District (the "District") was successful at the election conducted on June 5, 2012, in obtaining authorization from the District's voters to issue up to $81,000,000 aggregate principal amount of the District's general obligation bonds, pursuant to a 55% vote ("Measure S");

WHEREAS, the District was also successful at the election conducted on June 5, 2018, in obtaining authorization from the District's voters to issue up to $99,000,000 aggregate principal amount of the District's general obligation bonds, pursuant to a 55% vote ("Measure M");

WHEREAS, the District was also successful at the election conducted on November 5, 2024, in obtaining authorization from the District's voters to issue up to $153,400,000 aggregate principal amount of the District's general obligation bonds, pursuant to a 55% vote ("Measure K" and, together with Measure S and Measure M, each a "Measure", and collectively the "Measures");

WHEREAS, each 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"), and pursuant to Section 15278 of the Education Code (being the implementing legislation for Prop 39), the District previously established a citizens' oversight committee for the Measures in order to satisfy the accountability requirements of Prop 39 (the "Committee");

WHEREAS, on November 5, 2024, a parcel tax measure ("Measure N") to replace the existing parcel tax ("Measure I") with a new parcel tax of $198 per parcel per year for eight years was approved by more than two-thirds of the votes cast by the voters of the District voting upon Measure N; and

WHEREAS, Measure N requires the Board to provide for the establishment of an independent citizens' oversight committee to oversee expenditure of the special taxes collected pursuant to Measure N to ensure that moneys raised are spent only for the purposes described in Measure N; and

WHEREAS, the Board appointed the Committee to serve as the oversight committee for Measure I and Measure N; and

WHEREAS, the Board previously District approved certain bylaws governing the Committee (the "Bylaws");

WHEREAS, the Board wishes to amend and restate the Bylaws to reflect the consolidation of oversight of Measure K and Measure N with the Committee's oversight responsibilities.

NOW, **THEREFORE**, BE IT RESOLVED by the Board of Trustees of Cabrillo Unified School District, as follows:

Section 1. Recitals. The foregoing recitals are true and correct.

Section 2. Amendment and Restatement of the Bylaws. The Board hereby amends and restates the Bylaws, adopting the revised version it hereby approves as the replacement of the prior version. Any prior version of the Bylaws is null, void, and of no further effect as of the adoption of this Resolution.

Section 2. This Resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED by the Governing Board of the Cabrillo Unified School District on the 15th day of May, 2025, by the following vote:

Mary Beth Alexander:	_____	Aye	_____	No	_____	Abstain	_____	Absent
Peter Cerneka	_____	Aye	_____	No	_____	Abstain	_____	Absent
Lizet Cortes:	_____	Aye	_____	No	_____	Abstain	_____	Absent
Carmen Daniel:	_____	Aye	_____	No	_____	Abstain	_____	Absent
Breanna Lafontaine	_____	Aye	_____	No	_____	Abstain	_____	Absent

Certified by:

_____
Carmen Daniel
President of the Governing Board
Cabrillo Unified School District

Attest by:

_____
Peter Cerneka
Clerk to the Governing Board
Cabrillo Unified School District

Cabrillo Unified School District

Citizens' Oversight Committee Bylaws
Measure S Bond Measure (2012)
Measure M Bond Measure (2018)
Measure K Bond Measure (2024)
Measure I Parcel Tax Measure (2019)
Measure N Parcel Tax Measure (2024)

1.0 Preamble

For school bonds passed pursuant to Article 13A, Section 1(b)(3) of the California Constitution, which allows a 55% majority to pass the bond, the Cabrillo Unified School District's ("District") Governing Board ("Board") is required by section 15278 of the California Education Code to appoint an independent Citizens' Oversight Committee ("Committee"). Per section 15282 of the Education Code, the Committee must have at least seven (7) members and represent specific segments of the community. In addition, by its express terms, Measure I and Measure N each require an advisory committee to oversee the expenditure of parcel tax funds. These Bylaws of the Board provide details for the Board's expectations with regard to the operation of the Citizens' Oversight Committee.

2.0 Purpose and Duties

2.1 Purpose

The purpose of the Committee is to inform the public concerning the expenditure and uses of the bond measure and parcel tax measure ("Measure") revenues from Measure S, passed on June 5, 2012, Measure M, passed on June 5, 2018, Measure K passed on November 5, 2024, Measure I, passed on November 5, 2019 and Measure N, passed on November 5, 2024. Unless further modified by the Board, the same group of persons shall oversee all Measure revenues, but may sit as separate committees (henceforth referred to herein as "Committees" or Committee") for purposes of reporting, member terms, and term limits. During the period of time during which proceeds are being expended from all Measures, the Committee shall oversee expenditure from all Measures. Once funds from any Measure have been spent, the Committee shall continue to oversee the expenditure of remaining proceeds from other Measures until all Measure revenues are fully spent. The Committee may pause oversight of any Measure during any period of time in which revenues from such Measure have been spent or are unavailable.

The Committee's legal charge is to actively review and report on the expenditure of taxpayer money for school construction and, with respect to Measure I and Measure N, for its express purposes, in accordance with voter-approved projects and programs.

2.1.1 Measure S, Measure M, and Measure K.

The Committee shall convene separately or together to provide oversight of the following:

A. Measure revenues are to be expended only for bonded indebtedness incurred by the District for the construction, reconstruction, rehabilitation or

replacement of school facilities, or the acquisition or lease of real property for school facilities. All of the following accountability requirements apply:

1. A requirement that the proceeds from the sale of the bonds be used only for the purposes specified in Article XIIIA, Section 1(b)(3), and not for any other purpose, including teacher and administrator salaries and other school operating expenses, except as provided for in Section 2.1.B below.

2. A list of the specific school facilities projects to be funded, and certification that the Board has evaluated safety, class size reduction, and information technology needs in developing that list.

3. A requirement that the Board conduct an annual independent performance audit to ensure that the funds have been expended only on the specific projects listed.

4. A requirement that the Board conduct an annual, independent financial audit of the proceeds from the sale of the bonds until all of those proceeds have been expended for the school facilities projects.

B. The District may use proceeds from the Measures to pay the salaries of District employees to the extent they perform administrative oversight work on construction projects authorized by the Measures.[1]

2.1.2 Measure I and Measure N

The Committee shall convene separately or together as an advisory committee to ensure that the education parcel tax proceeds are spent for their authorized purposes, and to report annually to the Board and the public regarding the expenditure of such funds. The District shall work with the Committee to provide expenditure information to the Committee as reasonably requested or necessary to fulfill the Committee's purpose.

2.2 Duties

Committee members are expected to attend its regularly scheduled meetings, diligently review all pertinent information provided to the Committee pursuant to state laws, and abide by all rules of conduct established in these Bylaws. In furtherance of its purpose, the Committee shall, at its discretion, engage in the following activities with respect to Measure S, Measure M, and Measure K:

A. Receive and review copies of the annual performance audits required by Article 13A, section I, subdivision (b)(3)(C) of the California Constitution.

B. Receive and review the annual financial audits required by Article 13A, section I, subdivision (b)(3)(D) of the California Constitution.

[1]/ The California Court of Appeal has concluded that certain kinds of salary expenditures and other bond-related costs could permissibly be paid from bond proceeds.

C. Inspect school facilities and grounds to ensure that bond revenues are expended in compliance with the requirements of Article 13A, section 1, subdivision (b)(3) of the California Constitution.

D. Review the District's efforts to maximize the use of bond revenues by implementing cost-saving measures, including, but not limited to the following, and have these efforts reviewed in the annual independent performance audit:

1. Mechanisms designed to reduce the costs of professional fees;

2. Mechanisms designed to reduce the cost of site preparation;

3. Mechanisms are designed to reduce costs by incorporating efficiencies in school site design.

4. Recommendations regarding the joint use of core facilities;

5. Recommendations regarding the use of cost-effective and efficient reusable facility plans.

3.0 Committee Composition

The Board shall have sole discretion to select and appoint Committee members and to determine its final size. Measure I and Measure N are not subject to mandatory membership, eligibility, term, or other requirements for composition and operation, but shall generally conform to the following guidelines. The Committee shall consist of at least seven (7) 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, which may be a local, regional, statewide, or national organization;

C. One member shall, at the time of appointment, be active in a bona fide taxpayer's organization, which may be a local, regional, statewide, or national organization;

D. One member shall, at the time of appointment, be the parent or guardian of a child currently enrolled in a school of the District;

E. One member shall, at the time of appointment, be both a parent or guardian of a child currently enrolled in a school of the District and be an active member in a District parent-teacher organization, such as the PTA or a school site council.

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

3.1 Eligibility

A. The Committee shall be comprised of individuals who either live 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 1090-1098.

3.2 Term of Service

A. Committee members serve without compensation for a term of two (2) years, and for no more than three (3) consecutive terms.

B. Appointed Committee members shall be seated at the first meeting of each odd-numbered year, except those appointed to replace vacancies.

C. After appointment to a two-year term, Committee members who wish to be appointed for a second or third two-year term shall reapply to the Board for consideration. Members who serve three (3) two-year terms may be reappointed following a two-year absence from the Committee.

3.3 Replacing a Committee Member

A. If a Committee position becomes vacant, the Committee Chair shall request that the Board appoint a replacement. Unless failure to act results in the inability to meet a Committee quorum, 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.

B. Any Committee member may request that the removal of another Committee member be placed on the agenda for the Committee's next meeting, and may, at that meeting, introduce a motion to remove said member from the Committee for excessive absence or for any violation of the Committee's Bylaws or Ethics Policy. The specific cause must be cited in the meeting agenda and motion for removal.

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

1. The 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 non-attendance at meetings (ref: Section 5.9 below), violating these Bylaws, and/or violating the Committee's Ethics Policy. 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 that the motion was approved. Removal shall be effective immediately upon passing the motion.

D. Within sixty (60) days of being notified of a Committee vacancy, the Board shall appoint a new member to complete the term of the vacancy, following the process used to select the original Committee members.

E. Committee members appointed to fill vacant, unexpired terms may apply and shall be eligible for reappointment for up to two (2) succeeding full two-year terms.

F. A Committee member who no longer serves the group s/he was appointed to represent (e.g., ceases to be active within a taxpayers organization, or ceases to have a child enrolled in the District, etc.) shall be allowed to complete her/his current term. However, that Committee member shall not be entitled to serve a subsequent term as a representative of that group.

4.0 Committee Officers

Officers of the Committee shall be a Chair, a Vice-Chair, and a Secretary. The Committee may choose to establish other elected positions by amending these Bylaws.

4.1 Elections

At its first meeting in odd-numbered years, the Committee shall place into nomination and elect a Chair, a Vice-Chair, and a Secretary. If the Committee amends these Bylaws to establish other elected positions, their election shall take place at the same meeting as the elections of the Chair, Vice-Chair, and Secretary.

4.2 Term of Office

Officers shall be elected for a two-year term and shall not be term-limited except for the limit on the terms of Committee members set forth in Section 3.2 above.

4.3 Duties of the Chair

A. The Chair shall call Committee meetings (ref: Sections 5.0 and 5.1 below).

B. The Chair shall establish the agenda for each Committee meeting.

C. The Chair shall preside over each Committee meeting, following the adopted Rules of Procedure (ref: Section 5.5 below).

D. The Chair shall, upon the willing concurrence of candidates, appoint the members of each Subcommittee that the Committee chooses to form (ref: Section 7.0, 7.1, and 7.2 below).

E. The Chair, or her/his Committee-approved designee, shall serve as spokesperson for the Committee in all presentations of the Committee to the public, the Board, and the media (ref: Section 6.0.A and 6.0.B below).

F. The Chair is an ex officio member of all Subcommittees.

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

4.4 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 Duties of the Secretary

A. Subject to review by the Chair before publishing, the Secretary shall provide oversight in the preparation, recording, and distribution by District-provided secretarial support of 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).

B. The Secretary 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 Secretary shall immediately inform the Chair.

4.6 Succession

The Vice-Chair shall accede to the Chair when a vacancy occurs in that office. In the event of a vacancy in the office of Vice-Chair or Secretary, the position shall be filled by election, placed on the agenda at the next regular Committee meeting.

5.0 Meetings

All Committee meetings subject to the Brown Act shall be held in a handicapped-accessible facility at a District facility. The Committee shall meet at least four times each year.

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-appointed Secretary and be noticed in accordance with the Brown Act.

5.2 Agendas

A. Agendas for regular Committee meetings shall be prepared by its Chair (ref: Section 4.3.B above).

B. Any member of the Committee may submit a request for placing an item on a future agenda.

5.3 Quorum

Actions may be undertaken at a meeting only if a quorum of seated members is present. A quorum is established when greater than half of the seated members are present. "Seated members" means the number of members set by the Board, less any who have resigned or been removed.

5.4 Committee Voting

Unless otherwise specified in these Bylaws (ref: 3.3.C.2 and 6.0.B), an action item on the agenda may be approved by a simple majority of Committee members in attendance, a quorum being present (ref: 5.3).

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

Members of the audience will be given an opportunity to address the Committee. The Chair will recognize those members of the audience who wish to address the Committee. The Committee reserves the right to limit the time of presentations by individuals (three minutes) and to limit cumulative time (twenty minutes) when there are multiple speakers addressing the same issue. No action may be taken on matters not on the agenda.

5.8 Minutes

Minutes of Committee proceedings and reports issued shall be a matter of public record and, upon Committee approval, the District shall make them available on the Committee's page of the District's internet website. Minutes of Committee meetings and annual reports shall be kept for seven years from the conclusion of the work authorized by the Measure, and once they have been removed from the website, shall be available for inspection at the District office upon the request of a member of the public.

The District shall provide secretarial services to assist the Committee Secretary in the preparation, distribution, and posting of minutes for all Committee meetings (ref: Section 4.5

above). Minutes distributed before adoption by the Committee shall always be labeled "Unadopted 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 an acceptable reason announced in advance shall constitute due cause for member removal (ref: Section 3.3.C).

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

B. Committee attendance reports shall be distributed upon request by the Chair.

6.0 Committee Reports

A. The Committee shall prepare regular reports on its activities. A report shall be issued at least once each year. Upon completion of all projects authorized by each Measure, the Committee Chair shall prepare or cause to be prepared a final written report summarizing its activities and conclusions.

B. The Committee's legal charge is to actively review and report on the expenditure of taxpayer money for school construction (Section 1.1, above) from Measure S, Measure M, and Measure K, and to annually report on expenditures from Measure I and Measure N. All such reports, written and/or oral, that represent the Committee's position must proceed from Committee review, be duly approved as to substance by an affirmative roll call 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 (ref: Section 4.3.E, above).

C. Reports of minority viewpoints shall be allowed. All such reports, written and/or oral, that represent the minority 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 maximize the 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 the fullest possible Committee support for the content of public reports.

D. Any member of the Committee may speak as an individual on Measure 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.

7.0 Subcommittees

The Committee may, on majority vote, form or disband Subcommittees (standing or ad hoc) to perform specific parts of its purpose and duties, such as performing audits and issuing reports. The Chair shall appoint all Subcommittee members. Subcommittees shall elect their

own chairs. Subcommittee meetings may proceed only when a quorum is present, a quorum being defined as a simple majority of the seated Subcommittee members. Subcommittee chairs shall be responsible for calling its meetings, preparing its agendas, noticing its members, and delivering timely reports of Subcommittee actions to the Committee. Subcommittee meetings shall be conducted in accordance with the adopted Rules of Procedure (ref: Section 5.5 above).

7.1 Standing Subcommittees

A standing Subcommittee undertakes ongoing duties in preparation for deliberation by the Committee. All standing Subcommittees must fully comply with the Brown Act, irrespective of their number of members. Membership can include any number up to the full membership of the Committee.

7.2 Ad Hoc Subcommittees

Ad hoc Subcommittees are temporary in nature. They may be formed to undertake specific, one-time duties in preparation for deliberation by the Committee. An ad hoc Subcommittee shall be automatically disbanded upon acceptance of its final report to the Committee. Membership on an ad hoc Subcommittee shall normally be limited to less than a quorum of the Committee. If thus limited, an ad hoc Subcommittee meeting need not comply with Brown Act noticing.

8.0 Amendment

These Bylaws may be amended by majority vote of the Board at any regular meeting at which said amendment is placed on the agenda and a quorum is present, after consultation with the Committee Chair. The Committee may also request amendments to the Bylaws by filing such a request with the District Superintendent for consideration. The Board shall, in good faith, consider such requests, but is not required to accept amendments requested by the COC. All amendments shall be consistent with governing law regarding independent citizens' oversight committees.

9.0 Liability Insurance

In acting within its official capacity as defined in these Bylaws, Committee members shall be covered by the District's liability insurance. In no event shall anything herein contained be construed as authorizing the District to insure any such officers or Committee members against any liability or expense by reason of willful malfeasance, bad faith, gross negligence, or reckless disregard of the duties involved in the conduct of their office.