

Measures A, B, and J Citizens Bond Oversight Committee

Date created: ____; Resolution No. _____

Purpose: In accordance with the language of Measures A, B and J, and the requirements of Education Code Sections 15264, 15278, 15280 and 15282, the purpose of the Measures A, B, and J Citizens Bond Oversight Committee (Committee) is to provide advice and recommendation to the District regarding the expenditure of funds for bond related projects, to actively review and report on the proper expenditure of taxpayers' money for school construction, **to undertake vigorous efforts to ensure that bond measure expenditures are in strict conformity with the law, to promptly alert the public to any waste or improper expenditure of school construction bond money** and to take any necessary action in furtherance of its purpose.

The activities of the Committee shall include, but are not limited to:

- (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) Periodically inspecting school facilities and grounds to ensure that 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. The Committee shall have the option to tour sites where Bond funds are being expended, with support from the Superintendent.
- (4) Preparing a publicly available annual report of bond activities and expenditures. **The Committee may prepare other reports of their activities, findings and recommendations to the Superintendent, the Board and the public.**
- (5) **Alerting the Board, Superintendent and the Public at the earliest possible opportunity of any improper use of Bond funds, in accordance with Education Code Section 15264.**
 - a. **The Committee may request that the Board place on its next Board meeting agenda any items of immediate concern related to possible improper use of Bond funds, or in cases of extreme urgency, the Committee may request a special Board meeting to consider the item.**
- (6) **Reviewing, and making formal recommendations to the OUSD Board of Directors regarding, proposed changes to the Voter Approved Project List in these Bond Measures, and changes to the Facilities Master Plan that impact projects paid for by these Bond Measures.**
 - a. **These recommendations are to be made at a properly noticed Committee meeting prior to Board consideration of the changes.**
- (7) **Participating in and advising the District on the selection of the Bond Financial and Performance Auditor and the Bond Financial Advisor, the termination of the contract of an existing Bond Financial and Performance**

Auditor and Bond Financial Advisor, and in the selection of a Deputy Facilities Chief.

a. The District shall include at least one Committee representative in the District selection process for the Bond and Performance Auditor; the Bond Financial Advisor, and the Deputy Facilities Chief.

b. Finalists for the Bond and Performance Auditor and the Bond Financial Advisor and the Deputy Facilities Chief shall appear before the Committee at a properly noticed Committee meeting prior to their final selection.

c. The Committee shall participate with the District in a yearly review of the Auditor's performance.

d. Prior to the termination of the contracts of the Bond Financial and Performance Auditor or the Bond Financial Advisor, District staff shall present the reasons for the termination at a properly noticed meeting of the full Committee.

(9) Other activities as needed to inform the public concerning the expenditure of bond revenues, pursuant to Education Code Section 15278

The activities of the Committee may further include the following:

(1) The Committee, by vote, or through the Chair, may establish ad hoc subcommittees including convening an Audit subcommittee; or the Chair can appoint a member to take on particular tasks. If the Chair establishes an ad hoc subcommittee or appoints a member to perform a particular task, this action must be formally ratified by the Committee at its next meeting to continue in effect.

(2) The Committee may choose to review and make formal recommendations to the OUSD Board of Directors regarding, proposed alterations to project budgets, timelines and other changes to the Bond program expenditures that are subject to OUSD Board of Directors approval.

a. If the Committee chooses to review and make formal recommendations regarding proposed alterations to project budgets, timelines and other changes to the Bond program expenditures that are subject to OUSD Board approval, these recommendations must be made at or before the Board meeting where the requested changes are to be considered for approval.

b. To facilitate expedited review of these requested changes, the Committee may establish an ad hoc sub-committee that meets more frequently than once a month for this purpose.

c. The District shall ensure that all documentation related to the requested change is provided to the Committee through the Chair at the same time that such documentation is provided to the Board.

d. The District shall ensure that all alterations to project budgets, timelines and other changes to the Bond program expenditures, with adequate explanations for these changes, are reported to the full Committee.

Number of members: Nine (9)

Special selection process: Pursuant to Proposition 39 (2000), the Committee shall have at least nine members and shall include the following persons:

- One (1) member who is a parent or guardian of a child enrolled in the District.
- One (1) member active in a business organization representing the business community located in the District.
- One (1) member active in a senior citizen's organization.
- One (1) member active in a bona-fide taxpayers association.
- One (1) member who is both a parent and guardian of a child enrolled in the District and active in a parent-teacher organization, such as the Parent- Teacher Association or a school site council.
- At least three (3) members of the community-at-large appointed by the Board.

A single individual may be appointed as a representative of more than one of the above categories, if applicable. The Board of Education shall seek to ensure that the Committee is representative of the diversity of the District. **The Officers of the Committee shall receive and review applications for Committee membership and may make recommendations to the Board regarding Committee membership.**

Qualification Standards:

- (a) To be a qualified person, he or she must be at least 18 years of age.
- (b) The Bond Oversight Committee may not include any employee, official of the District, or any vendor, contractor, or consultant of the District.
- (c) A majority of the members of the Committee shall possess expertise in one or more of the following areas:
 - Large scale construction operations
 - Municipal / Public finance matter
 - Multiple years experience with agency/entity budgeting
 - Construction related project management
 - Real Estate acquisition or sales

Ethics: Conflicts of Interest. By accepting appointment to the Committee, each member agrees to comply with Articles 4 (commencing with Section 1090) and 4.7 (commencing with Section 1125) of Division 4 of Title 1 of the Government Code and Bylaw of the Board 9270.

