

Los Gatos – Saratoga Union High School District
Parcel Tax (Measure A) Oversight Committee

Bylaws

1.0 Preamble

In accordance with the ballot language of the Los Gatos – Saratoga Union High School District (“District”) Measure A Parcel Tax passed by the voters on May 3, 2011, “the Board of Education (“Board”) will establish a process for independent citizen oversight.” This process shall be the purview of the Parcel Tax Oversight Committee (“Committee”) which shall have the duties and rights set forth in these Bylaws.

2.0 Name, Purpose, and Duties

2.1 Name

The name of this organization shall be the "Parcel Tax Oversight Committee" hereinafter referred to as the "Committee."

2.2 Purpose

The Board established the Committee to inform the public concerning the expenditure and uses of the parcel tax proceeds. The Committee’s charge is to review and report on the expenditure of Measure A Parcel Tax revenue and to ensure said revenue is expended in accordance with the stated purposes of the Measure A Parcel Tax:

- Provide support for core academic programs, such as math, science and English;
- Attract and retain highly qualified teachers;
- Maintain college and career preparation programs;
- Provide classroom materials such as books and science laboratory equipment;

2.3 Duties

Committee members shall be expected to attend its regularly scheduled meetings, review all pertinent information provided to the Committee, and abide by the provisions of the *Ralph M. Brown Public Meetings Act* and all rules of conduct established in these Bylaws. In furtherance of its purpose the Committee will engage in the following activities:

- A. Receive and review expenditure reports produced by the District to ensure that parcel tax revenue was expended in accordance with the purposes set forth in Measure A
- B. Prepare and present to the Board, in open session, an annual written report which will include:
 - A statement indicating whether the District’s Measure A expenditures were in accordance with the its stated purposes
 - A summary of the Committee’s proceedings for the preceding year
- C. Identify one member to attend meetings of the District’s Budget Advisory Committee as scheduled

3.0 Committee Composition

The Board shall have sole discretion to select and appoint Committee members and to determine its final size. The Committee shall consist of a minimum of five members (and a maximum of seven), 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;
- C. One member shall, at the time of the appointment, be a member of the League of Women Voters;
- D. One member shall, at the time of appointment, be a parent or guardian of a child enrolled in the District;
- E. One member shall, at the time of appointment, be a parent or guardian of a child enrolled in the District and active in a parent-teacher organization, such as the Home & School Club, Parent Teacher School Organization or school site council.

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

A maximum of two members of the Board of Trustees, the district Superintendent, and the Chief Business Officer may attend regular meetings but shall not be considered a voting member of the "committee."

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 1090-1099.

3.2 Term of Service

- A. Committee members serve without compensation and for no more than two consecutive terms.
- B. Appointed Committee members shall be seated in July of each year, except those appointed to replace vacancies. After members are first seated, a minimum of four Committee members will be asked to volunteer to serve for an initial one (1) year term and the remaining members will serve an initial two (2) year term.
- C. After appointment to a term, Committee members who wish to be appointed for a second term shall reapply to the Board for consideration.

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. A replacement Committee member may be appointed by the Board if one or more of the following events occur:
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 Policies, and/or violating the Committee's adopted *Code of Conduct*. 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. If the motion fails, the member under consideration shall not be subject to double jeopardy.
- C. Committee members appointed to fill vacant, unexpired terms may apply and shall be eligible for reappointment to a succeeding full two-year term.
- D. 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) shall be allowed to complete his/her 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 the September meeting each year, the Committee shall place into nomination and elect a Chair, a Vice-Chair, and a Secretary. If the Committee establishes 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 one-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, in consultation with District staff, 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 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 shall attend, or appoint another Committee member to attend, meetings of the Board at which parcel tax planning, revenue, expenditure, reporting, and related budgetary issues are agendized.

F. 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 (ref: Section 6.0.A and 6.0.B below).

G. The Chair is an *ex-officio* member of all subcommittees.

H. 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 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 will accede to Chair when a vacancy occurs in that office. In the event of a vacancy in the office of Vice-Chair or Secretary, the position will be filled by election, agendized at its next regular Committee meeting.

5.0 Meetings

A. All Committee meetings subject to the Brown Act will be held in a fully-accessible District facility.

B. The Committee shall meet at least two times per year.

C. Committee members shall be available to attend Board of Trustees meetings when reports relating to the parcel tax measure are presented.

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 will be prepared by its Chair, in consultation with District staff (ref: Section 4.3.B above). All documents applicable to agenda items shall be distributed in advance of meetings.

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

C. Agendas may include a consent calendar for routine, non-controversial items. These items must be clearly identified on published agendas. Any member of the Committee or public may request at the meeting that an item be added to the consent calendar or be pulled for discussion.

D. After roll-call and the establishment of a quorum, meetings will begin with a consent calendar if appropriate.

5.3 Quorum

Actions may be undertaken at a meeting only if half-plus-one of Committee members in office are present.

5.4 Committee Voting

Unless otherwise specified in these Policies (ref: 3.3.C.2 and 6.0.B), an agendized action item may be approved by a simple majority of Committee members in attendance, a quorum being present (ref: 5.3). Members must be present to vote.

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

Any member of the public present at a meeting may address the Committee during the period designated for public comment. The Chair may, at his/her discretion, choose in advance to place an equal time limit on all speakers.

5.8 Minutes

Minutes of Committee proceedings and all documents received and reports issued shall be a matter of public record, and to the extent practicable, the District shall make them available on the District's Internet

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website. The District shall provide secretarial/clerical services to assist the Committee Secretary in preparation, distribution, and posting of minutes for all Committee meetings (ref: Section 4.5 above). Minutes published before adoption by the Committee shall always be labeled "Draft 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 acceptable reason announced in advance shall constitute due cause for member removal (ref: Section 3.3.B and 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 will be distributed annually and 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.
- B. Any 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 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.F, above).
- C. Reports of minority viewpoints will be allowed. All such reports, written and/or oral, that represent the minority's 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 fullest possible Committee support for the content of public reports.
- D. Any member of the Committee may speak as an individual on parcel tax 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 reviewing and issuing reports. The Chair shall appoint all subcommittee members. Subcommittees shall elect their own chairs and vice-chairs. Subcommittee meetings may proceed only when a quorum is present, a quorum being defined as half-plus-one of the full number of 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

An ad hoc subcommittee is 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 ad hoc subcommittees will normally be limited to less than a quorum of the Committee. If thus limited, ad hoc subcommittee meetings need not comply with Brown Act noticing.

8.0 Amendment

These Policies may be amended by majority vote of the Committee at any regular meeting at which said amendment is agendized and a quorum is present.