

**HAPPY VALLEY ELEMENTARY SCHOOL DISTRICT
CITIZENS' OVERSIGHT COMMITTEE**

**BYLAWS FOR MEASURE Q
(2/3 Vote Education Parcel Tax - Approved June 5, 2018)**

Adopted by the Governing Board of the District on December 19, 2018

Section 1. Committee Established. The Happy Valley Elementary School District (the "District") hereby establishes the "Citizens' Oversight Committee for Measure Q" (the "Committee").

Section 2. Background. Measure Q was approved by District voters on June 5, 2018 pursuant to a 2/3 vote of District voters, authorizing the levy of an education parcel tax of \$99 per parcel per year, for a period of six years. Measure Q includes a covenant to establish the Committee to be charged with the responsibility of annually reviewing the expenditures of proceeds of the education parcel tax to ensure such funds have been spent for the specific purposes set forth in Measure Q. Such Committee is charged with the task of providing an annual report to the District Board and the public summarizing its review of expenditures of the proceeds of the education parcel tax and findings relating thereto.

Section 3. Duties. The Committee shall perform only the following duties:

- (a) **Meet.** The Committee shall meet at least one time per year during the period that the District is receiving and expending proceeds of the parcel tax. Meetings shall take place in a meeting room provided by the District. Annual meeting shall occur in the month of June, commencing in the month of June, 2019, or shortly thereafter as determined by the District and Committee members. Additional meetings, for a total of up to three meetings per year, may be called by the Committee to the extent necessary to discharge its duty. Meetings shall be open to the public and shall follow an agenda. The agenda and notice of the meeting shall be posted by the District at least 72 hours prior to the meeting in accordance with standard District practices of noticing District meetings. A quorum is required to conduct a meeting. The duty to meet shall terminate at such time that the receipt and expenditure of Measure Q revenues has been completed in accordance with Section 14.
- (b) **Review Expenditures.** At meetings, the Committee shall receive a report from District officials regarding parcel tax revenues and expenditures to date, detailing the amount and purpose of the expenditures. The purpose of this review is to ensure that parcel tax proceeds were expended only for the purposes set forth in the text of Measure Q as presented to District voters. Said purposes are set forth as Attachment 1 hereto.
- (c) **Record Conclusions and Make Available to the Public.** Minutes shall be taken during the meeting. At the conclusion of the meeting, the Chair of the Committee shall take a vote of Committee members as to whether the District has spent parcel tax proceeds only on voter approved projects. The votes of the Committee members shall be recorded in the minutes. If the

majority view of the Committee is that expenditures have been out of compliance with Measure Q, specific findings shall be documented in the minutes, and District officials shall respond to such findings at a subsequent meeting of the Committee which shall occur on or about one month after the meeting at which such findings were made. Minutes of the meeting of the Committee shall be posted on the District's web site to ensure the public can review the proceedings and the conclusions of the Committee.

Section 4. Limited Role of Committee. The Committee's duties are to meet and review parcel tax proceed expenditures. This is a post-expenditure review. The District Board retains the power and responsibility to select and direct the purposes for which parcel tax revenues are to be spent. The Committee only reviews parcel tax proceeds, not other District funding sources.

Section 5. Authorized Activities. The Committee may request a tour of financed projects or facilities by District staff. The tour can be scheduled at times other than the annual meeting of the Committee, or, the Annual Meeting may be adjourned to a tour of the facilities.

Section 6. Membership. The Committee shall be composed of five members of the community at large. Members must be at least 18 years of age. Members may not be District employees, officials, vendors, contractors or consultants, or immediate family members of such persons. Residency within District boundaries is not required to serve on the Committee, although preference may be given to District residents.

Members of the Committee shall not be financially interested in District contracts within the meaning of State law, or engage in any activity for compensation that is in conflict with such member's duties. The Committee is established to confirm the lawful expenditure of parcel tax proceeds. Committee members are not public officials of a government agency with decision-making authority within the meaning of the Political Reform Act of 1974, and the Committee is not a decision-making authority. By accepting appointment to the Committee, each member agrees to comply with the Committee Ethics Policy attached as Attachment 2 to these Bylaws.

Section 7. Term of Members. Each member shall serve on the Committee for an initial term of two years. Members may apply to the District Board for an additional term of two years, for a total of three consecutive terms (six years of service).

Section 8. Appointment of Members. (a) The District shall notify the public through its customary forums that it is accepting applications for Committee members, which may include posting at school sites and posting notice on the District's website; (b) applications shall be made available at the District office and/or through the District's web site; (c) the Superintendent will review the applications which have been submitted by the stated deadline; and (d) the Superintendent will make recommendations to the Board with respect to appointment appointments shall be made by the District Board and recorded in the District Board's minutes.

Section 9. Removal or Resignation of Members. The Board may remove any Committee member for cause, which includes failure to attend two consecutive Committee meetings or for failure to comply with the Committee Ethics Policy. Members may resign from the Committee, and in such event, shall provide the District with prompt written notice of said resignation. The District shall make best efforts to fill vacancies prior to the next meeting.

Section 10. No Compensation. The Committee members shall not be compensated for their services. Membership is a voluntary community service and no financial benefits are to be obtained by membership on the Committee.

Section 11. Reports. The Committee shall produce one written report annually on its findings that reflects the majority view of the members as to whether Measure Q proceeds have been spent for voter-approved purposes. The written report, together with minutes of meetings, shall be posted on the District's web site under a link to Measure Q or the Parcel Tax. The Chair may report on Committee findings to the District Board at a meeting of the District Board. In lieu of a written report, the minutes of the Committee meetings may reflect a vote that reflects a determination by the Committee that expenditures have been within the scope of Measure Q.

Section 12. Officers. At the first meeting of the Committee, a Chair and a Vice Chair shall be selected by majority vote. The Chair shall call meeting to order, take roll call, and follow the meeting agenda. The Vice Chair shall perform these duties in the absence of the Chair. District staff shall take minutes during the meeting and make them available to Committee members following the meeting. Minutes shall be approved at the next meeting.

Section 13. Amendment of Bylaws. These Bylaws may be amended by the Board of Trustees of the District. Any amendment to these Bylaws shall be approved by a majority vote of the Board.

Section 14. Termination. The Committee shall automatically terminate and disband at the time that the District reports that Measure Q has expired and all Measure Q proceeds have been spent, the District has provided its final expenditure report to the Committee and the Committee has provided its final consensus view on spending of Measure Q funds in accordance with Measure Q.

ATTACHMENT 1

SHORT FORM OF MEASURE Q:

"To support academic excellence, maintain quality art and music programs, integrate modern technology into classrooms, retain high quality teachers and provide local funding that cannot be taken by the State, shall Happy Valley Elementary School District's measure be adopted authorizing the levy of a parcel tax for six years at a rate of \$99 per year raising \$61,000 annually with an exemption for seniors and with annual citizens' oversight?"

PURPOSES

To provide local revenue that cannot be taken by the State and to maintain high-quality public education in schools in the Happy Valley Elementary School District (the "District"), the District proposes to levy and collect an education parcel tax annually for six years as more fully described below under "EDUCATION PARCEL TAX AND PROCEDURES," and to implement accountability measures in connection with the education parcel tax to ensure that funds are used only for the following specific purposes:

- *Supporting quality art and music programs,*
- *Providing for the integration of modern technology into classrooms, including devices and instructional equipment,*
- *Attracting and retaining qualified teachers and staff, and*
- *Supporting classroom instruction.*

The Board of Trustees will not fund any program other than those listed above from the proceeds of the education parcel tax.

ATTACHMENT 1

CITIZENS' 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

- A Committee member shall not engage in activities which make or influence a District decision related to contracts payable from bond proceeds, or any construction project which will benefit the Committee member financially, or benefit an immediate family member, such as a spouse, child or parent.
- A Committee member shall not use his or her position on the Committee to negotiate future employment with any person or organization that engages in contracts or construction projects funded by bond proceeds.
- A Committee member shall abide by all legal and ethical requirements of Committee membership, and the applicable policies, procedures, rules and regulations of the Happy Valley Elementary School District.
- A Committee member shall place the interests of the District above any personal or business interest of the member.

**NOTICE OF
APPLICATIONS BEING ACCEPTED FOR
MEASURE Q CITIZENS' OVERSIGHT COMMITTEE**

HAPPY VALLEY ELEMENTARY SCHOOL DISTRICT

NOTICE is hereby given that the governing board of the Happy Valley Elementary School District has adopted Bylaws governing the establishment of a Citizens' Oversight Committee to confirm expenditures of Measure Q parcel tax revenues are for voter-approved purposes. The District is presently accepting applications from interested citizens to serve on the Committee. Maintaining a committee to review expenditures was promised to District voters as part of Measure Q. Interested persons may obtain an application from the Superintendent's Office, located at 3125 Branciforte Drive, Santa Cruz, CA, 95065 or download the application from the District's website at www.hvesd.com. **Applications are due by January 31, 2019 at the office of the Superintendent.**

**Happy Valley Elementary School District
Citizens' Oversight Committee**

Measure Q - Voter Approved Education Parcel Tax

Applicant Packet

The Happy Valley Elementary School District Board has adopted Bylaws establishing a Citizen's Bond Oversight Committee to review expenditures of Measure Q parcel tax revenues to ensure such funds were spent only for voter-approved purposes. The Board invites all interested community members to apply for service on the Citizens' Oversight Committee.

Who will be on the Committee?

There will be 5 members on the Committee. Requirements are that applicants be at least 18 years of age and have no financial interests in the District. Preference will be given to residents of the District, but non-residents may apply.

What will the Committee do?

The committee will meet at least one time annually, hear a report from District staff on parcel tax revenues and expenditures, and conclude whether such expenditures has been in accordance with Measure Q. The first meeting is expected to take place in June, 2019 in the District Board room.

How will the Committee be selected?

Applicants should complete the attached application form and submit it to the Superintendent. The District Board will appoint members at a public meeting.

Where is more information available?

Please call the Happy Valley Elementary School District at 831-429-1456 for additional information.

Happy Valley Elementary School District

Application for Citizens' Oversight Committee - Parcel Tax

Applicant's Name: _____

Home address: _____

City/State/ZIP: _____

Telephone: _____

Email: _____

Please answer the following questions:

1. Are you an employee of the District, or do you have immediate family that is an employee of the District? YES NO
(Note: employees of the District and immediate family of employees are prohibited by law from being members of the Committee)

2. Are you a vender, contractor or consultant to the District? YES NO
(Note: vendors, contractors and consultants to the District are prohibited by law from serving)

3. Are you able to attend meetings for at least a 2 year term? YES NO
Currently, 1-3 meetings per year are anticipated, for 6 years.
Terms of service are 2 years each. Members may apply for additional terms.

Please explain why you are interested in being on the Committee and provide any information you believe may be relevant to the District in making a decision about appointing you to the Committee, such as, experience with financial matters and reviews, service on other boards or committees, experience with educational matters, programs or finance, or other factors.

This completed application must be received no later than 5:00 PM on Jun 31, 2019 to:

HAPPY VALLEY ELEMENTARY SCHOOL DISTRICT
3125 Branciforte Drive, Santa Cruz, CA 95065
ATTENTION: Paige Lynd