



SACRAMENTO CITY UNIFIED SCHOOL DISTRICT BOARD OF EDUCATION

Agenda Item# 11.1h

Meeting Date: May 7, 2020

Subject: Approve Resolution No. 3130: Resolution Appointing Bond Oversight Committee and Approving By-Laws and Guidelines for Conduct of the Committee

- Information Item Only
- : Business Services

Recommendation: Approve Resolution No. 3130: Resolution Appointing Bond Oversight Committee and Approving By-Laws and Guidelines for Conduct of the Committee.

Background/Rationale: On March 10, 2020, the Board of Education (BOE) approved Resolution No. 3130, which appoints a Bond Oversight Committee and approves the By-Laws and Guidelines for Conduct of the Committee. The resolution is effective upon the Board's approval.

Documents Attached:

1. Resolution No. 3130
2. Sacramento City Unified School District Bond Oversight Committee By-Laws (Revised for Bond Measure H)

Estimated Time of Presentation: n/a
Submitted by: Rose Ramos, Chief Business Officer
Approved by: Jorge A. Aguilar, Superintendent

**BOARD OF EDUCATION
OF THE
SACRAMENTO CITY UNIFIED SCHOOL DISTRICT**

RESOLUTION NO. 3130

**RESOLUTION APPOINTING BOND OVERSIGHT COMMITTEE AND APPROVING
BY-LAWS AND GUIDELINES FOR CONDUCT OF THE COMMITTEE**

WHEREAS, this Board of Education (the “Board”) of the Sacramento City Unified School District (the “District”) duly called a school bond election (the “Election”), and the Election was conducted by the Registrar of Voters of the County of Sacramento (the “County”) on March 3, 2020, on a measure authorizing the District to incur bonded indebtedness (“Measure H”); and

WHEREAS, the election was conducted pursuant to the provisions of Article XVI, Section 18(b) and Article XIII A, Section 1(b)(3), and met all of the requirements for approval by a 55% affirmative vote of the votes cast at the election; and

WHEREAS, according to the official canvass and certification of election results provided to this Board by the Registrar of Voters of the County, at least 55% of the votes cast on said proposition were in favor of issuing said bonds; and

WHEREAS, by resolution duly adopted on May 7, 2020, this Board did declare, pursuant to Education Code Section 15274 and Elections Code 15400, that Measure H was approved by the requisite vote; and

WHEREAS, Education Code Section 15278(a) requires that upon declaration of the election results, this Board shall establish and appoint members to an independent citizens’ oversight committee, all in accordance with Sections 15278 through 15282 of the Education Code; and

WHEREAS, the Superintendent of the District has publicized the need to appoint such a committee and the qualifications of the various members to be appointed thereto, has received applications from interested community members, has evaluated those applications, and has made a recommendation to this Board for initial appointment of members to the citizens’ oversight committee; and

WHEREAS, in order to assist the citizens’ oversight committee in conducting its affairs and effectively discharge its duties in accordance with the Education Code and Measure H, and to establish procedures to the extent necessary for appointment and operation of the oversight committee, this Board has determined to adopt a set of by-laws and guidelines for the committee, and a form thereof has been submitted to this meeting;

OF THE NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF EDUCATION

EXHIBIT A

SACRAMENTO CITY UNIFIED SCHOOL DISTRICT
CITIZENS OVERSIGHT COMMITTEE

INITIAL APPOINTEES

SECRETARY'S CERTIFICATE

I, Jorge A. Aguilar, Secretary, Board of Education of the Sacramento City Unified School District, County of Sacramento, California, hereby certify as follows:

The attached is a full, true and correct copy of a resolution duly adopted at a regular meeting of the Board of Education of the District duly and regularly held at the regular meeting place thereof on May 7, 2020, and entered in the minutes thereof, of which meeting all of the members of the Board of Education had due notice and at which a quorum thereof was present; and at that meeting the resolution was adopted by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

An agenda of the meeting was posted at least 72 hours before said meeting at 5735 4th Avenue, Sacramento, California, a location freely accessible to members of the public, and a brief description of the resolution appeared on the agenda. A copy of the agenda is attached hereto.

I have carefully compared the same with the original minutes of the meeting on
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SACRAMENTO CITY UNIFIED SCHOOL DISTRICT

Section 5.2. Agenda Preparation. The Chair shall prepare the meeting agenda with technical assistance as necessary as set forth in section 5.11. Any Bond Oversight Committee member may submit to the Chair, at least seven business days prior to the meeting, an agenda item that the Chair shall consider placing on the agenda for the next meeting. A majority of the Bond Oversight Committee shall have the right to add items to the meeting agenda in compliance with the Brown Act in the 8.01pv tin322

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Section 6. Officers. The Bond Oversight Committee may elect, at any time, a Chair and a Vice Chair who shall carry out the duties and responsibilities as follows:

Section 6.1. Duties of the Chair. The Chair shall preside at all meetings of the Bond Oversight Committee and may sign letters, reports, or other communications on behalf of the Bond Oversight Committee. The Chair also serves as the spokesperson and representative to the Board of Education on behalf of the Bond Oversight Committee.

Section 6.2. Duties of the Vice Chair. The Vice-Chair shall assume the duties of the Chair in the absence of the Chair. The Vice-Chair shall also be responsible for such duties as may be assigned by the Chair.

Section 6.3. Terms of Chair and Vice Chair. The Chair and Vice Chair shall serve at the pleasure of the Bond Oversight Committee and may be selected or replaced at any time in the discretion of the majority of the members in a meeting at which a quorum is present and the matter is properly agendaed under the Brown Act.

Section 7. Adoption and Amendment of Bylaws. The Bond Oversight Committee shall adopt its own bylaws and may amend its bylaws by a majority vote of the Committee at which a quorum is present.

Section 8. Termination of Committee. The Bond Oversight Committee shall terminate upon completion of all duties pursuant to sections 15278 et seq. or unless superseded by a new Bond Oversight Committee formed by the Board of Education.

* * * *

The bylaws, as set forth above, were duly adopted by a majority vote of the quorum of the Bond Oversight Committee on the _____ day of _____, 2020.

Dated: _____

By:
Its: Chair

ATTACHMENT A

BOND OVERSIGHT COMMITTEE ETHICS POLICY STATEMENT

This Ethics Policy Statement provides general guidelines for Bond Oversight Committee members to follow carrying out their roles. Not all ethical issues that Bond Oversight Committee members face are covered in this Statement. However, this Statement describes some of the critical areas that help define ethical and professional conduct for Bond Oversight Committee members. Bond Oversight Committee members are expected to adhere to the provisions of this Ethics Policy Statement.

POLICY

- x CONFLICT OF INTEREST.** A Bond Oversight 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 Bond Oversight Committee member's outside employment, business, or personal finances or benefit a family member, such as a spouse, child or parent. Pursuant to Education Code section 35233, Bond Oversight Committee members shall comply with Government Code sections 1090 et seq. and Government Code sections 1125 et seq.
- x OUTSIDE EMPLOYMENT.** A Bond Oversight 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 Bond Oversight 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.
- x COMMITMENT TO UPHOLD LAW.** A Bond Oversight 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 and Government Codes) and all other applicable policies of the Sacramento City Unified School District.
- x COMMITMENT TO DISTRICT.** A Bond Oversight Committee member shall place the interest of the District above any personal or business interest of the member.