

**OAK PARK UNIFIED SCHOOL DISTRICT  
CITIZEN OVERSIGHT COMMITTEE  
AGENDA – REGULAR MEETING  
January 30, 2020**

**CALL TO ORDER: 5:00 p.m.**

The Oak Park Citizen Oversight Committee will meet in Regular Session at the **Oak Park Unified School District – Conference Room**, 5801 Conifer Street, Oak Park, California 91377.

**I. CALL TO ORDER: \_\_\_\_\_ p.m.**

**A. ROLL CALL/INTRODUCTIONS**

**B. FLAG SALUTE**

**C. ADOPTION OF AGENDA**

**D. APPROVAL OF MINUTES**

*Approve minutes from previous meeting on April 29, 2019*

**II. PUBLIC SPEAKERS: SPEAKERS ON AGENDA AND NON-AGENDA ITEMS**

**III. COMMITTEE RESPONSIBILITY AND ORGANIZATION**

**A. COMMITTEE BYLAWS**

*Review and Discuss Committee Bylaws for new members*

**B. ESTABLISHMENT OF COMMITTEE ORGANIZATION:**

*Discuss Committee Membership and Elect Committee positions*

1. Election/Appointment of Officers

*Fill required positions Chair & Vice-Chair*

2. Subcommittee Organization

*Discuss and determine optional subcommittee*

3. Establish Committee(s) Meeting Schedules

*Discuss and determine future 2019-20 meeting dates for Committee(s)*

**IV. INFORMATION ITEMS**

1. **Bond Measure C6, Technology & Equipment - Resolution 06-06**

2. **Bond Measure R, Facility Repair & Maintenance – Resolution 08-18**

3. **Bond Measure S, School Facility Improvement, Equipment, and Technology – Resolution 16-16**

4. **Board Policy – Citizen Advisory Committees: BP 1220(a)**

5. **Administrative Regulations – Citizens Advisory Committees: AR 1220(a)**

6. **Oak Park Citizens' Oversight Committee 2018 Measure C6 Annual Report**

7. **Oak Park Citizens' Oversight Committee 2018 Measure R Annual Report**

8. **Oak Park Citizens' Oversight Committee 2018 Measure S Annual Report**

9. **Rosenberg's Rules of Order by Judge Dave Rosenberg**

**V. OPEN DISCUSSION**

**VI. ADJOURNMENT:**

There being no further business before this Committee, the meeting is declared adjourned at \_\_\_ p.m.

OAK PARK UNIFIED SCHOOL DISTRICT  
5801 E. CONIFER STREET  
OAK PARK, CALIFORNIA 91377  
(818) 735-3254

**OAK PARK CITIZEN OVERSIGHT COMMITTEE**  
REGULAR MEETING  
**Minutes - DRAFT**

DATE: Monday, April 29, 2019

TIME: 7:00 p.m. Open Session

PLACE: Oak Park Unified School District Office – Conference Room  
5801 Conifer Street  
Oak Park, CA 91377

PRESENT: Members: Audrey Israel, Marc Shapiro, Bing Xu Liu, Durga Kosaraju, Ty Avendano, Grant Meikle, & Michael Schneider, District Staff: Martin Klauss, Linda Castellano. ABSENT: None.

- I. Call to Order by Martin Klauss at 7:09 PM
- II. Roll Call/Introductions – Were conducted
- III. Approval of Agenda for April 29, 2019 Meeting - On motion of Ty Avendano, seconded by Grant Meikle, the Committee approved the Agenda of April 29, 2019. Motion Audrey Israel, Marc Shapiro, Bing Xu Liu, Ty Avendano, Grant Meikle, & Michael Schneider No - 0, Not Present Durga Kosaraju 6-0.
- IV. Approval of Minutes from March 25, 2019 Meeting - Minutes of the March 25, 2019, on motion of Grant Meikle, seconded by Michael Schneider, the Committee approved the Minutes of March, 25, 2019. Motion Audrey Israel, Marc Shapiro, Bing Xu Liu, Ty Avendano, Grant Meikle, & Michael Schneider No - 0, Not Present Durga Kosaraju 6-0.
- V. Discussion and Drafting of 2018 Annual Reports (*Discussion/Action*).
  - C6 Reports. School Safety, Equipment & Technology Bond: On motion of Grant Meikle, seconded by Michael Schneider the Committee approved the Measure C6 2018 Report with the changes of deletion of page 4, adding the remainder balance of \$5,051 as of June 30<sup>th</sup>. Motion Audrey Israel, Marc Shapiro, Bing Xu Liu, Ty Avendano, Grant Meikle, Michael Schneider & Durga Kosaraju No - 0, 7-0.
  - R Reports. Facility Repair & Maintenance Bond: On motion of Bing Xu Liu, seconded by Ty Avendano the Committee approved the Measure R 2018 Report. Motion Audrey Israel, Marc Shapiro, Bing Xu Liu, Ty Avendano, Grant Meikle, Michael Schneider & Durga Kosaraju No - 0, 7-0.
  - S Reports Facility Improvement, Technology, and Equipment Bond: On motion of Michael Schneider, seconded by Marc Schapiro the Committee approved the Measure S 2018 Report. Motion Audrey Israel, Marc Shapiro, Bing Xu Liu, Ty Avendano, Grant Meikle, Michael Schneider & Durga Kosaraju No - 0, 7-0.
- VI. OPCOC Membership
  - Distribution of OPCOC Membership Roster (Information)
  - Status of Terms of Membership: Declaration of Member Requests to Serve an Additional Two-Year Term (*Discussion/Action*) – It was determined that the following committee members will be returning for their final 2-year term: Grant

Meikle, Audrey Israel, & Bing Xu Liu. Durga Naga Lakshmi Kosaraju & Ty Avendano will return for their 2nd year of their second term.

- VII. Open Discussion/Future Agenda Items (Discussion): Martin announced his retirement.
- VIII. Adjournment – the meeting was adjourned at 8:13 PM – On Motion of Michael Schneider  
Seconded by Audrey Israel, the Committee approved Adjournment.  
Next meeting is May 14, 2019 – Present Reports to the Board at the Board Meeting.

Recorded by Linda Castellano

**OAK PARK UNIFIED SCHOOL DISTRICT  
INDEPENDENT CITIZENS' BOND OVERSIGHT COMMITTEE BYLAWS**

**Section 1. Committee Established.** The Oak Park Unified School District (the "District") has a standing Independent Citizens' Bond Oversight Committee established in 2006 which has the authority to review bond expenditures from the District's Measures C6 and R, as well as the District's Measure C parcel tax (the "Prior Measures"). The District was successful at the election conducted on November 8, 2016 in obtaining authorization from the District's voters to issue up to \$60 million aggregate principal amount of the District's general obligation bonds (the "Measure S Election"). The Measure S Election, like those for Measure R and C6, 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"). Pursuant to Section 15278 of the Education Code, the District is obligated to establish an Independent Citizens' Bond Oversight Committee in order to satisfy the accountability requirements of Prop 39. The Board of Education of the District (the "Board") has established an Independent Citizens' Bond Oversight Committee (the "Committee") and had adopted Procedures, Policies and Guidelines summarizing the Committee's responsibilities. The Board has approved new Bylaws to govern the ongoing activities of the Committee which shall have the duties and rights set forth in these Bylaws. The Committee does not have independent legal capacity from the District.

**Section 2. Purposes.** The purposes of the Committee are set forth in Prop 39, and these Bylaws are specifically made subject to the applicable provisions of Prop 39 as to the duties and rights of the Committee. The Committee shall be deemed to be subject to the *Ralph M. Brown Public Meetings Act* of the State of California and shall conduct its meetings in accordance with the provisions thereof. The District shall provide necessary administrative support to the Committee as shall be consistent with the Committee's purposes, as set forth in Prop 39.

The proceeds of general obligation bonds issued pursuant to the Elections are hereinafter referred to as "bond proceeds." The Committee shall confine itself specifically to proceeds generated under the Prior Measures and Measure S. Regular and deferred maintenance projects and all monies generated under other sources shall fall outside the scope of the Committee's review. However, to the extent that facilities are financed with a combination of Measure S and Prior Measures monies and other non-bond funds, such projects shall be subject to Committee oversight and review.

**Section 3. Duties.** To carry out its stated purposes, the Committee shall perform only the duties set forth in Sections 3.1, 3.2, and 3.3 hereof, and shall refrain from those activities set forth in Sections 3.4 and 3.5.

3.1 **Inform the Public.** The Committee shall inform the public concerning the District's expenditure of bond proceeds. In fulfilling this duty, all official communications to either the Board or the public shall come from the Chair acting on behalf of the Committee. The Chair shall only release information that reflects the majority view of the Committee.

3.2 **Review Expenditures.** The Committee shall review expenditure reports produced by the District to ensure that (a) bond proceeds were expended only for the purposes set forth in Measure R, Measure C6 and Measure S; and (b) no bond proceeds were used for any teacher or administrative salaries or other operating expenses in compliance with Attorney General Opinion 04-110, issued on November 9, 2004.

3.3 Annual Report. The Committee shall present to the Board, in public session, an annual written report for the Prior Measures and Measure S which shall include the following:

- (a) A statement indicating whether the District is in compliance with the requirements of Article XIII A, Section 1(b)(3) of the California Constitution; and
- (b) A summary of the Committee's proceedings and activities for the preceding year.

3.4 Duties of the Board/Superintendent. Either the Board or the Superintendent, as the Board shall determine, shall have the following powers reserved to it, and the Committee shall have no jurisdiction over the following types of activities:

- (i) Approval of contracts,
- (ii) Approval of change orders,
- (iii) Expenditures of bond funds,
- (iv) Handling of all legal matters,
- (v) Approval of project plans and schedules,
- (vi) Approval of all deferred maintenance plans, and
- (vii) Approval of the sale of bonds.

3.5 Prior Measures and Measure S Projects Only. In recognition of the fact that the Committee is charged with overseeing the expenditure of bond proceeds, the Board has not charged the Committee with responsibility for:

- (a) Projects financed through the State of California, developer fees, redevelopment tax increment, certificates of participation, lease/revenue bonds, the general fund or the sale of surplus property without bond proceeds shall be outside the authority of the Committee.
- (b) The establishment of priorities and order of construction for the bond projects, which shall be made by the Board in its sole discretion.
- (c) The selection of architects, engineers, soils engineers, construction managers, project managers, CEQA consultants and such other professional service firms as are required to complete the project based on District criteria established by the Board in its sole discretion.
- (d) The approval of the design for each project including exterior materials, paint color, interior finishes, site plan and construction methods (modular vs. permanent) which shall be determined by the Board in its sole discretion.
- (e) The selection of independent audit firm(s), performance audit consultants and such other consultants as are necessary to support the activities of the Committee.

(f) The appointment or reappointment of qualified applicants to serve on the Committee, subject to legal limitations, and based on criteria adopted in the Board's sole discretion as part of carrying out its function under Prop 39.

**Section 4. Authorized Activities.**

4.1 In order to perform the duties set forth in Section 3.0, the Committee may engage in the following authorized activities:

(a) Receive copies of the District's annual, independent performance audit and annual, independent financial audit required by Prop 39 (Article XIII A of the California Constitution) (together, the "Audits") at the same time said Audits are submitted to the District by March 31<sup>st</sup> of each year, and review the Audits.

(b) Inspect District facilities and grounds for which bond proceeds have been or will be expended, in accordance with any access procedure established by the District's Superintendent.

(c) Review copies of deferred maintenance plans developed by the District.

(d) Review efforts by the District to maximize bond proceeds by implementing various cost-saving measures.

(e) Receive from the Board, within three months of the District receiving the Audits, responses to any and all findings, recommendations, and concerns addressed in the Audits, and review said responses.

**Section 5. Membership.**

5.1 Number.

The Committee shall consist of at least seven (7) members appointed by the Board from a list of candidates submitting written applications, and based on criteria established by Prop 39, to wit:

- One (1) member shall be the parent or guardian of a child enrolled in the District.
- One (1) member shall be both a parent or guardian of a child enrolled in the District and active in a parent-teacher organization, such as the P.T.A. or a school site council.
- One (1) member active in a business organization representing the business community located in the District.
- One (1) member active in a senior citizens' organization.
- One (1) member active in a bona-fide taxpayers association.
- Two (2) members of the community at-large.

5.2 Qualification Standards.

- (a) To be a qualified person, he or she must be at least 18 years of age.
- (b) The Committee may not include any employee, official of the District or any vendor, contractor or consultant of the District.

5.3 Ethics: Conflicts of Interest.

(a) Members of the Committee are not subject to the Political Reform Act (Gov. Code §§ 81000 *et seq.*), and are not required to complete Form 700; but each member shall comply with the Committee Ethics Policy attached as “Attachment A” to these Bylaws.

(b) Pursuant to Section 35233 of the Education Code, the prohibitions contained in Article 4 (commencing with Section 1090) of Division 4 of Title 1 of the Government Code (“Article 4”) and Article 4.7 (commencing with Section 1125) of Division 4 of Title 1 of the Government Code (“Article 4.7”) are applicable to members of the Committee. Accordingly:

(i) Members of the Committee shall not be financially interested in any contract made by them in their official capacities or by the Committee, nor shall they be purchasers at any sale or vendors at any purchase made by them in their official capacity, all as prohibited by Article 4; and

(ii) Members of the Committee shall not engage in any employment, activity, or enterprise for compensation which is inconsistent, incompatible, in conflict with, or inimical to duties as a member of the Committee or with the duties, functions, or responsibilities of the Committee or the District. A member of the Committee shall not perform any work, service, or counsel for compensation where any part of his or her efforts will be subject to approval by any other officer, employee, board, or commission of the Board, except as permitted under Article 4.7.

5.4 Term. Except as otherwise provided herein, each member shall serve a term of two (2) years, commencing as of the date of appointment by the Board. No member may serve more than three (3) consecutive terms. At the Committee’s first meeting, members will draw lots or otherwise select a minimum of two members to serve for an initial one (1) year term and the remaining members for an initial two (2) year term. Members whose terms have expired may continue to serve on the Committee until a successor has been appointed. Terms commence on the date or number is appointed to the Committee by the Board.

5.5 Appointment. Members of the Committee shall be appointed by the Board through the following process: (a) the District will advertise in the local newspapers, on its website, and in other customary forums, as well as solicit appropriate local groups for applications; (b) the Superintendent will review the applications; and (c) the Superintendent will make recommendations to the Board.

5.6 Removal; Vacancy. The Board may remove any Committee member for any reason, including failure to attend two consecutive Committee meetings without reasonable excuse, for failure to comply with the Committee Ethics Policy or a failure to adequately carry out their functions as members of the Committee. Upon a member’s removal, his or her seat shall be declared vacant. The Board, in accordance with the established appointment process shall fill any vacancies on the

Committee. The Board shall seek to fill vacancies within 90 days of the date of occurrence of a vacancy.

5.7 Compensation. The Committee members shall not be compensated for their services.

5.8 Authority of Members. (a) Committee members shall not have the authority to direct staff of the District; (b) individual members of the Committee retain the right to address the Board, either on behalf of the Committee or as an individual; (c) the Committee shall not establish subcommittees for any purpose; and (d) the Committee shall have the right to request and receive copies of any public records relating to projects funded by the Prior Measures and Measure S.

## **Section 6. Meetings of the Committee.**

6.1 Regular Meetings. The Committee shall meet at least once a year, but shall not meet more frequently than quarterly.

6.2 Location. All meetings shall be held within the boundaries of the Oak Park Unified School District, located in Ventura County, California.

6.3 Procedures. All meetings shall be open to the public in accordance with the *Ralph M. Brown Act*, Government Code Section 54950 *et seq.* Meetings shall be conducted according to such additional procedural rules as the Committee may adopt. A majority of the number of Committee members shall constitute a quorum for the transaction of any business of the Committee.

6.4 Rules of Order. Committee meetings shall be conducted in accordance with [Rosenberg's Rules of Order \(2011 Revision\)](#).

## **Section 7. District Support.**

7.1 The District shall provide to the Committee necessary technical and administrative assistance as follows:

(a) preparation of and posting of public notices as required by the *Brown Act*, ensuring that all notices to the public are provided in the same manner as notices regarding meetings of the District Board;

(b) provision of a meeting room, including any necessary audio/visual equipment;

(c) preparation, translation and copies of any documentary meeting materials, such as agendas and reports; and

(d) retention of all Committee records, and providing public access to such records on an Internet website maintained by the District.

7.2 District staff and/or District consultants shall attend Committee proceedings in order to report on the status of projects and the expenditure of bond proceeds.

**Section 8. Reports.** In addition to the Annual Report required in Section 3.3, the Committee may report to the Board from time to time in order to advise the Board on the activities of the Committee. Such report shall be in writing and shall summarize the proceedings and activities conducted by the Committee.

**Section 9. Officers.** The Superintendent shall appoint the Chair. Thereafter, the Committee shall elect a Chair and a Vice-Chair who shall act as Chair only when the Chair is absent. The Chair and Vice-Chair shall serve in such capacities for a term of one year and may be re-elected by vote of a majority of the members of the Committee.

**Section 10. Amendment of Bylaws.** Any amendment to these Bylaws shall be approved by a majority vote of the Board. The Committee shall have no authority to amend these Bylaws.

**Section 11. Termination.** The Committee shall automatically terminate and disband concurrently with the Committee's submission of the final Annual Report which reflects the final accounting of the expenditure of all funds of the Prior Measures and Measure S.

**CITIZENS' BOND 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**

- **CONFLICT OF INTEREST.** A 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 Committee member's outside employment, business, or a personal finance or benefit an immediate family member, such as a spouse, child or parent.
- **OUTSIDE EMPLOYMENT.** A 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 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. For a period of two (2) years after leaving the Committee, a former Committee member may not represent any person or organization for compensation in connection with any matter pending before the District that, as a Committee member, he or she participated in personally and substantially. Specifically, for a period of two (2) years after leaving the Committee, a former Committee member and the companies and businesses for which the member works shall be prohibited from contracting with the District with respect to bidding on projects funded by the bond proceeds.
- **COMMITMENT TO UPHOLD LAW.** A 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 Code) and all other applicable government entities, and the policies, procedures, rules and regulations of the Oak Park Unified School District.
- **COMMITMENT TO DISTRICT.** A Committee member shall place the interests of the District above any personal or business interest of the member.

**OAK PARK UNIFIED SCHOOL DISTRICT**

**RESOLUTION NO. 16-27 (AMENDED)**

**RESOLUTION OF THE BOARD OF EDUCATION OF THE OAK PARK UNIFIED SCHOOL DISTRICT ESTABLISHING AN INDEPENDENT CITIZENS' BOND OVERSIGHT COMMITTEE AND APPROVING BYLAWS THEREFORE**

**WHEREAS**, the Board of Education of the District previously adopted a resolution requesting the County to call an election for general obligation bonds (the "2016 Election") held on November 8, 2016 ("Measure S"); and

**WHEREAS**, notice of the 2016 Election was duly given and on November 8, 2016, the 2016 Election was duly held and conducted for the purpose of voting a measure for the issuance of bonds of the District in the amount of \$60 million; and

**WHEREAS**, based on the Canvass and Statement of Results for the County, more than fifty-five percent of the votes cast on Measure S were in favor of issuing the aforementioned bonds; and

**WHEREAS**, the Board of Education of the District (the "Board") desires to charge its independent citizens' bond oversight committee (the "Committee") with responsibilities in connection with issuance of bonds under Measure S; and

**WHEREAS**, the Board also desires to approve bylaws governing such Committee; and

**NOW, THEREFORE, THE BOARD OF EDUCATION OF THE OAK PARK UNIFIED SCHOOL DISTRICT DOES HEREBY FIND, DETERMINE AND CERTIFY AS FOLLOWS:**

Section 1. **Authorization.** Measure S was authorized pursuant to paragraph (3) of subdivision (b) of Section 1 of Article XIII A of the California Constitution and subdivision (b) of Section 18 of Article XVI of the California Constitution in accordance with the requirements of the Strict Accountability In Local School Construction Bonds Act of 2000 (the "Act").

Section 2. **Establishment of Committee.** An Independent Citizens' Bond Oversight Committee (the "Committee") is hereby established for the purposes set forth in the Act.

Section 3. **Bylaws.** The Committee shall operate pursuant to the Board approved Bylaws, as amended by the Board at its meeting on January 17, 2017. The Committee shall have only those responsibilities granted to them in the Act and in the Bylaws. The Bylaws, as submitted herewith and attached hereto, are hereby approved.

Section 4. **Other Actions.** Officers of the Board and members of the Committee established hereunder are hereby authorized and directed, jointly and severally, to do any and all things and to execute and deliver any and all documents which they may deem necessary or advisable in order to give effect to and comply with the terms and intent of this Resolution. Such actions heretofore taken by such officers, officials and staff are hereby ratified, confirmed and approved.

ADOPTED, SIGNED AND APPROVED this 17th day of January, 2017.

BOARD OF EDUCATION OF THE OAK PARK  
UNIFIED SCHOOL DISTRICT



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President

ATTEST:



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Secretary



**TO: MEMBERS, OAK PARK CITIZENS' OVERSIGHT COMMITTEE**  
**FROM: ADAM RAUCH, ASSISTANT SUPERINTENDENT, BUSINESS SERVICES**  
**DATE: JANUARY 30, 2020**  
**SUBJECT: ELECTION OF OFFICERS OF THE OAK PARK CITIZENS' OVERSIGHT COMMITTEE**

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**ISSUE:** To nominate and elect officers of the Oak Park Citizens' Oversight Committee.

**ELECTION OF OFFICERS**

1. Approve the nomination and election of \_\_\_\_\_ as the Chair of the Oversight Committee.

VOTE:	AYES	NOES	ABSTAIN	ABSENT
Avendano	_____	_____	_____	_____
Hardy	_____	_____	_____	_____
Kosaraju	_____	_____	_____	_____
Liu	_____	_____	_____	_____
Meikle	_____	_____	_____	_____
Oberst	_____	_____	_____	_____
Tescher	_____	_____	_____	_____

2. Approve the nomination and election of \_\_\_\_\_ as the Vice-Chair of the Oversight Committee.

VOTE:	AYES	NOES	ABSTAIN	ABSENT
Avendano	_____	_____	_____	_____
Hardy	_____	_____	_____	_____
Kosaraju	_____	_____	_____	_____
Liu	_____	_____	_____	_____
Meikle	_____	_____	_____	_____
Oberst	_____	_____	_____	_____
Tescher	_____	_____	_____	_____

**RATIONALE:** The Committee shall elect a Chair and a Vice-Chair who shall act as Chair only when the Chair is absent. The Chair and Vice-Chair shall serve in such capacities for a term of one year and may be re-elected by vote of a majority of the members of the Committee.

RESOLUTION OF THE BOARD OF TRUSTEES OF THE  
OAK PARK UNIFIED SCHOOL DISTRICT  
ORDERING SCHOOL BOND ELECTION PURSUANT TO SECTION 15266 OF THE  
EDUCATION CODE, AND AUTHORIZING NECESSARY ACTIONS IN  
CONNECTION THEREWITH

*[Handwritten Signature]*  
Clerk

(School Safety, Equipment and Technology Improvement Bond)

WHEREAS, the Board of Trustees (the "Board") of the Oak Park Unified School District (the "District"), within the County of Ventura, California (the "County"), is authorized to order elections within the District and to designate the specifications thereof, pursuant to Sections 5304 and 5322 of the Education Code of the State of California (the "Education Code"); and

WHEREAS, the Board is specifically authorized to order elections for the purpose of submitting to the electors the question of whether bonds of the District shall be issued and sold for the purpose of raising money for the purposes hereinafter specified, pursuant to Education Code Sections 15100 *et seq.*; and

WHEREAS, pursuant to Section 18 of Article XVI and Section 1 of Article XIII A of the California Constitution, and Section 15266 of the Education Code, school districts may seek approval of general obligation bonds and levy an *ad valorem* tax to repay those bonds upon a 55% vote of those voting on a proposition for the purpose, provided certain accountability measures are included in the proposition; and

WHEREAS, the Board deems it necessary and advisable to submit such a bond proposition to the electors to be approved by 55% of the votes cast; and

WHEREAS, such a bond election must be conducted concurrent with a statewide primary election, general election, or special election, or at a regularly scheduled local election, as required by Section 15266 of the Education Code; and

WHEREAS, on June 6, 2006, a statewide primary election is scheduled to be conducted throughout the District; and

WHEREAS, pursuant to Education Code Section 15270, based upon a projection of assessed property valuation, the Board has determined that, if approved by voters, the tax rate levied to meet the debt service requirements of the bonds proposed to be issued will not exceed \$60 per year per \$100,000 of assessed valuation of taxable property; and

WHEREAS, Section 9400 *et seq.* of the Elections Code of the State of California (the "Elections Code") requires that a tax rate statement be contained in all official materials, including any ballot pamphlet prepared, sponsored or distributed by the District, relating to the election; and

WHEREAS, the Board now desires to authorize the filing of a ballot argument in favor of the proposition to be submitted to the voters at the election; and

WHEREAS, if the project to be funded by the bonds will require State matching funds for any phase, the sample ballot must contain a statement, in form prescribed by law, advising the voters of that fact, and the Board finds that the projects listed in Section 2 of this Resolution will not require State matching funds not yet received by the District;

NOW, THEREFORE, be it resolved, found, determined and ordered by the Board of Trustees of the Oak Park Unified School District as follows:

Section 1. Recitals. All of the above recitals are true and correct.

Section 2. Specifications of Election Order: Pursuant to Education Code Sections 5304, 5322, 15100 *et seq.*, and 15266, a special election shall be held within the boundaries of the Oak Park Unified School District on , for the purpose of submitting to the registered voters of the District the following proposition:

### “SCHOOL SAFETY, EQUIPMENT, AND TECHNOLOGY IMPROVEMENT BONDS”

This Proposition may be known and referred to as the “School Safety, Equipment, and Technology Improvement Bonds” or as “Measure \_\_\_\_”. *[designation to be assigned by County Registrar of Voters]*

#### BOND AUTHORIZATION

By approval of this proposition by at least 55% of the registered voters voting on the proposition, the Oak Park Unified School District shall be authorized to issue and sell bonds of up to \$17,500,000 in aggregate principal amount to provide financing for the specific school facilities projects and equipment listed in the Bond Project List herein, subject to all of the accountability safeguards specified below.

Proceeds from the sale of bonds authorized by this proposition shall be used only for the construction, reconstruction, rehabilitation, or replacement of school facilities, including the furnishing and equipping of school facilities, or the acquisition or lease of real property for school facilities, and not for any other purpose, including teacher and administrator salaries and other school operating expenses.

#### ACCOUNTABILITY SAFEGUARDS

The provisions in this section are specifically included in this proposition in order that the Oak Park Unified School District’s voters and taxpayers may be assured that their money will be spent wisely to address specific facilities needs of the Oak Park Unified School District, all in compliance with the requirements of Article XIII A, Section 1(b)(3) of the State Constitution, and the Strict Accountability in Local School Construction Bonds Act of 2000 (codified at Education Code Sections 15264 and following).

Evaluation of Needs. The Board of Trustees is in the process of preparing an updated facilities plan in order to evaluate and address all of the facilities needs of the Oak Park Unified School District at each campus and facility, and to determine which projects to finance from a local bond at this time. The Board of Trustees hereby certifies that it has

evaluated safety, class size reduction and information technology needs in developing the Bond Project List contained herein.

Independent Citizens' Oversight Committee. The Board of Trustees shall establish an independent Citizens' Oversight Committee (pursuant to Education Code Section 15278 and following), to ensure bond proceeds are spent only for the school facilities projects and equipment listed in the Bond Project List. The committee shall be established within 60 days of the date when the results of the election appear in the minutes of the Board of Trustees.

Annual Performance Audits. The Board of Trustees shall conduct an annual, independent performance audit to ensure that the bond proceeds have been expended only on the school facilities projects and equipment listed in the Bond Project List.

Annual Financial Audits. The Board of Trustees shall conduct an annual, independent financial audit of the bond proceeds until all of those proceeds have been spent for the school facilities projects and equipment listed in the Bond Project List.

Special Bond Proceeds Account; Annual Report to Board. Upon approval of this proposition and the sale of any bonds approved, the Board of Trustees shall take actions necessary to establish an account in which proceeds of the sale of bonds will be deposited. As long as any proceeds of the bonds remain unexpended, the Assistant Superintendent, Business and Administrative Services of the District shall cause a report to be filed with the Board no later than December 31 of each year, commencing December 31, 2007, stating (1) the amount of bond proceeds received and expended in that year, and (2) the status of any project funded or to be funded from bond proceeds. The report may relate to the calendar year, fiscal year, or other appropriate annual period as the Superintendent shall determine, and may be incorporated into the annual budget, audit, or other appropriate routine report to the Board.

### BOND PROJECT LIST

The bonds will be used to acquire the following school equipment:

- *Educational Technology* - including computers, networking equipment, printers, interactive whiteboards, scanners, video production labs, copy machines for all schools and the District program offices, etc.
- *Classroom Furniture and Equipment* - including for Visual and Performing Arts Program, Special Education, Culinary and Practical Arts, Athletics (such as training equipment, fitness centers, and technology), and Science Labs, as well as general classroom furniture, furnishings and equipment, such as desks, tables, bookshelves, maps and globes, major library acquisitions, etc.).
- *Playground Equipment* -) Replace playground equipment as needed to meet current safety standards.
- *District Vehicles* - to include vehicles for student transportation to meet current safety standards, maintenance, etc.

- *Food Preparation and Kitchen Equipment* - to furnish and equip remodeled and new kitchen facilities at each school for student meal preparation, including stoves, refrigerators, etc.
- *Equipment Replacement* - The bonds will be used for initial purchases and to replace such equipment as needed on an estimated 3 to 4 year cycle, so long as bond proceeds remain available (estimated through 2016).

The preceding Bond Project List describes the specific projects and equipment the Oak Park Unified School District proposes to finance with proceeds of the bonds. Listed equipment will be acquired as needed for particular school sites according to Board-established priorities. Inclusion of any equipment or furniture on the Bond Project List is not a guarantee that such equipment will be purchased, or will be acquired for any particular site, at any particular time or in any particular order. Bond proceeds are also expected to be applied to necessary and incidental costs related to equipment acquisitions, including, but not limited to, costs of the election and bond issuance. Bond proceeds will not be used for any maintenance of equipment or purchase of supplies.

### FURTHER SPECIFICATIONS

Specific Purposes. All of the purposes enumerated in this proposition shall be united and voted upon as one single proposition, pursuant to Education Code Section 15100, and shall constitute the specific purposes of the bonds, and proceeds of the bonds shall be spent only for such purposes, pursuant to Government Code Section 53410.

Other Terms of the Bonds. When sold, the bonds shall bear interest at an annual rate not exceeding the statutory maximum, and that interest will be made payable at the time or times permitted by law. The bonds may be issued and sold in several series, and no bond shall be made to mature more than 25 years from the date borne by that bond.

Bonds may be Issued in Excess of Statutory Bonding Limit. The District currently projects that in order to complete the authorized bond projects (including projects funded from another bond measure approved by the District's voters), issuance of some or all of the bonds will cause the outstanding debt of the District to exceed its statutory bonding limit of 2.5% of the total assessed valuation of taxable property in the District. In that event, the District intends to seek a waiver of its bonding limit from the State Board of Education, which has the power to waive certain requirements of the Education Code applicable to the District. By approval of this proposition, the voters have authorized the District to seek such a waiver, and to issue authorized bonds in excess of the 2.5% limit as the State Board of Education may approve. No such waiver has yet been sought or granted.

Section 3. Abbreviation of Proposition: Pursuant to Section 13247 of the Elections Code and Education Code Section 15122, the Board hereby directs the Registrar of Voters to use the following abbreviation of the bond proposition on the ballot:

“To improve student safety, replace aging school equipment and furnishings, and provide up-to-date educational technology, including updating science and computer lab equipment, replacing aging student desks and chairs, upgrading playground equipment to current safety standards, acquiring safe student transportation and maintenance vehicles, shall Oak Park Unified School District issue \$17.5 million in bonds at interest rates within the legal limit, with mandatory audits and independent citizens’ oversight of bond expenditures?”

Section 4. Voter Pamphlet: The Registrar of Voters of the County is hereby requested to reprint the full text of the proposition, which is all of that portion of Section 2 hereof appearing in bold-face type in the voter information pamphlet to be distributed to voters pursuant to Section 13307 of the Elections Code. In the event the full text of the proposition is not reprinted in the voter information pamphlet, the Registrar of Voters is hereby requested to print, immediately below the impartial analysis of the bond proposition, in no less than 10-point boldface type, a legend substantially as follows:

“The above statement is an impartial analysis of Measure \_\_\_\_\_. If you desire a copy of the measure, please call the Ventura County Registrar of Voters at {phone number} and a copy will be mailed at no cost to you.”

Section 5. No State Matching Funds: The District has determined that the projects to be funded from the proposed bonds will not require State matching funds for any phase thereof, and that Section 15122.5 of the Education Code does not apply to the proposition.

Section 6. Required Vote: Pursuant to Section 18 of Article XVI and Section 1 of Article XIII A of the State Constitution, the above proposition shall become effective upon the affirmative vote of at least 55% of those voters voting on the proposition.

Section 7. Request to County Officers to Conduct Election: The Registrar of Voters of the County is hereby requested, pursuant to Section 5322 of the Education Code, to take all steps to call and hold the election in accordance with law and these specifications.

Section 8. Consolidation Requirement; Canvass: (a) By its resolution adopted on February 2, 2006, and filed with the Registrar of Voters on February 3, 2006, this Board has previously requested the Registrar of Voters and the Board of Supervisors of the County to order consolidation of the election with the statewide primary election and such other elections as may be held on June 6, 2006, in the same territory or in territory that is in part the same.

(b) The Board of Supervisors of the County is authorized and requested to canvass the returns of the election, pursuant to Section 10411 of the Elections Code.

Section 9. Delivery of Order of Election to County Officers: The Clerk of the Board of Trustees of the District is hereby directed to cause to be delivered as soon as practicable, and in any event, no later than March 10, 2006 (which date is not fewer than 88 days prior to the date set for the election), one true copy of this Resolution to the Registrar of Voters of the County

together with the Tax Rate Statement in substantially the form attached hereto as Exhibit A, completed and signed by the Superintendent, and to cause a second certified copy of this Resolution to be filed with the Clerk of the Board of Supervisors of the County.

Section 10. Ballot Arguments: The President of this Board, or any member or members of this Board as the President shall designate, are hereby authorized, but not directed, to prepare and file with the Registrar of Voters a ballot argument in favor of the proposition contained in Section 2 hereof, within the time established by the Registrar of Voters, which shall be considered the official ballot argument of this Board as sponsor of the proposition.

Section 11. Further Authorization: The members of this Board, the Superintendent, the Assistant Superintendent, Business and Administrative Services, and all other officers of the District are hereby authorized and directed, individually and collectively, to do any and all things that they deem necessary or advisable in order to effectuate the purposes of this resolution.

Section 12. Effective Date: This Resolution shall take effect upon its adoption.

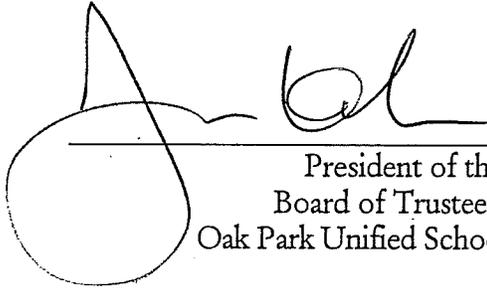
PASSED AND ADOPTED by the Board of Trustees of the Oak Park Unified School District of the County of Ventura, this day, February 21, 2006, by the following vote:

AYES: 5

NOES: 0

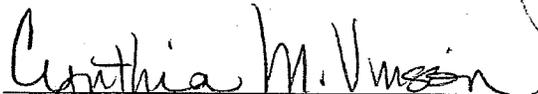
ABSTAIN: 0

ABSENT: 0



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President of the  
Board of Trustees of  
Oak Park Unified School District



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Cynthia M. Vinton  
Clerk of the Board of Trustees  
Oak Park Unified School District

## EXHIBIT A

### TAX RATE STATEMENT

An election will be held in the Oak Park Unified School District (the "District") on June 6, 2006, to authorize the sale of up to \$17,500,000 in bonds of the District to finance school equipment and furnishings and facilities improvements as described in the proposition. If the bonds are approved, the District expects to sell the bonds in three series. Principal and interest on the bonds will be payable from the proceeds of tax levies made upon the taxable property in the District. The following information is provided in compliance with Sections 9400-9404 of the Elections Code of the State of California.

1. The best estimate of the tax which would be required to be levied to fund this bond issue during the first fiscal year after the sale of the first series of bonds, based on estimated assessed valuations available at the time of filing of this statement, is 2.4 cents per \$100 (\$24.00 per \$100,000) of assessed valuation in fiscal year 2006-07.
2. The best estimate of the tax rate which would be required to be levied to fund this bond issue during the first fiscal year after the sale of the last series of bonds, based on estimated assessed valuations available at the time of filing of this statement, is 2.4 cents per \$100 (\$24.00 per \$100,000) of assessed valuation in fiscal year 2010-11.
3. The best estimate of the highest tax rate which would be required to be levied to fund this bond issue, based on estimated assessed valuations available at the time of filing of this statement, is 2.4 cents per \$100 (\$24.00 per \$100,000) of assessed valuation. The tax rate is expected to remain the same in each year.

Voters should note that the estimated tax rates are based on the *ASSESSED VALUE* of taxable property on the County's official tax rolls, *not* on the property's market value. Property owners should consult their own property tax bills to determine their property's assessed value and any applicable tax exemptions.

The foregoing information is based upon the District's projections and estimates only. The actual tax rates and the years in which they will apply may vary from those presently estimated, due to variations from these estimates in the timing of bond sales, the amount of bonds sold and market interest rates at the time of each sale, and actual assessed valuations over the term of repayment of the bonds. The dates of sale and the amount of bonds sold at any given time will be determined by the District based on need for construction funds and other factors, including the legal limitations on bonds approved by a 55% vote. The actual interest rates at which the bonds will be sold will depend on the bond market at the time of each sale. Actual future assessed valuation will depend upon the amount and value of taxable property within the District as determined by the County Assessor in the annual assessment and the equalization process.

Dated: 2/21 2006.

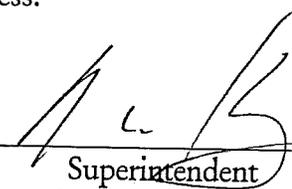
  
\_\_\_\_\_  
Superintendent  
Oak Park Unified School District

EXHIBIT B

OAK PARK UNIFIED SCHOOL DISTRICT

BALLOT LANGUAGE FOR SCHOOL BOND ELECTION

“To improve student safety, replace aging school equipment and furnishings, and provide up-to-date educational technology, including updating science and computer lab equipment, replacing aging student desks and chairs, upgrading playground equipment to current safety standards, acquiring safe student transportation and maintenance vehicles, shall Oak Park Unified School District issue \$17.5 million in bonds at interest rates within the legal limit, with mandatory audits and independent citizens’ oversight of bond expenditures?”

CLERK'S CERTIFICATE

I, Cindy Vinson, Clerk of the Board of Trustees of the Oak Park Unified School District, of the County of Ventura, 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 Trustees of the District duly and regularly held at the regular meeting place thereof on February 21, 2006, and entered in the minutes thereof, of which meeting all of the members of the Board of Trustees had due notice and at which a quorum thereof was present. The resolution was adopted by the following vote:

AYES: 5

NOES: 0

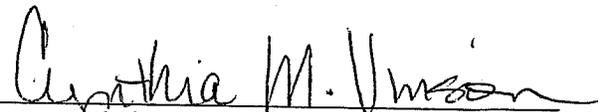
ABSTAIN: 0

ABSENT: 0

An agenda of the meeting was posted at least 72 hours beforehand at 5801 East Conifer Street, Oak Park, California, a location freely accessible to members of the public, and a brief description of the adopted 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 file and of record in my office. The resolution has not been amended, modified or rescinded since the date of its adoption, and the same is now in full force and effect.

WITNESS my hand this 21<sup>st</sup> day of FEBRUARY, 2006.



Clerk of the Board of Trustees  
Oak Park Unified School District

Resolution No. 08-18

**RESOLUTION OF THE BOARD OF TRUSTEES OF THE  
OAK PARK UNIFIED SCHOOL DISTRICT  
ORDERING SCHOOL BOND ELECTION, AND AUTHORIZING NECESSARY  
ACTIONS IN CONNECTION THEREWITH**

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WHEREAS, the Board of Trustees (the "Board") of the Oak Park Unified School District (the "District"), within the County of Ventura, California (the "County"), is authorized to order elections within the District and to designate the specifications thereof, pursuant to Sections 5304 and 5322 of the Education Code of the State of California (the "Education Code"); and

WHEREAS, the Board is specifically authorized to order elections for the purpose of submitting to the electors the question of whether bonds of the District shall be issued and sold for the purpose of raising money for the purposes hereinafter specified, pursuant to Education Code Sections 15100 and following; and

WHEREAS, pursuant to Section 18 of Article XVI and Section 1 of Article XIII A of the California Constitution, and Section 15266 of the Education Code, school districts may seek approval of general obligation bonds and levy an *ad valorem* tax to repay those bonds upon a 55% vote of those voting on a proposition for the purpose, provided certain accountability measures are included in the proposition; and

WHEREAS, the Board deems it necessary and advisable to submit such a bond proposition to the electors, which, if approved by 55% of the votes cast, would permit the District to issue its bonds; and

WHEREAS, such a bond election must be conducted concurrent with a statewide primary election, general election, or special election, or at a regularly scheduled local election, as required by Section 15266 of the Education Code; and

WHEREAS, on November 4, 2008, a statewide general election is scheduled to be conducted throughout the District; and

WHEREAS, based upon a projection of assessed property valuation and a proposed schedule of bond issuances, the Board has determined that, if approved by voters, the tax rate levied to meet the debt service requirements of the bonds proposed to be issued will not exceed the statutory limit of \$60 per year per \$100,000 of assessed valuation of taxable property, pursuant to Education Code Section 15270; and

WHEREAS, if the project to be funded by the bonds will require State matching funds for any phase, the sample ballot must contain a statement, in form prescribed by law, advising the voters of that fact, and the Board finds that the projects listed in the proposition contained in Exhibit A of this Resolution will not require State matching funds not yet received by the District; and

WHEREAS, Section 9400 and following of the Elections Code of the State of California (the "Elections Code") requires that a tax rate statement be contained in all official materials, including any ballot pamphlet prepared, sponsored or distributed by the District, relating to the election; and

WHEREAS, the Board now desires to authorize the filing of a ballot argument in favor of the proposition to be submitted to the voters at the election;

NOW, THEREFORE, be it resolved, found, determined and ordered by the Board of Trustees of the Oak Park Unified School District as follows:

Section 1. Recitals. All of the above recitals are true and correct.

Section 2. Specifications of Election Order: Pursuant to Education Code Sections 5304, 5322, 15100 and following, and 15266, a special election shall be held within the boundaries of the Oak Park Unified School District on November 4, 2008, for the purpose of submitting to the registered voters of the District the proposition contained in Exhibit A hereto.

Section 3. Abbreviation of Proposition: Pursuant to Section 13247 of the Elections Code and Education Code Sections 5322 and 15122, the Board hereby directs the Registrar of Voters to use as the abbreviation of the bond proposition on the ballot the Abbreviation contained in Exhibit B hereto.

Section 4. Voter Pamphlet: The Registrar of Voters of the County is hereby requested to reprint the full text of the proposition contained in Exhibit A hereto in the voter information pamphlet to be distributed to voters pursuant to Section 13307 of the Elections Code. In the event the full text of the proposition is not reprinted in the voter information pamphlet, the Registrar of Voters is hereby requested to print, immediately below the impartial analysis of the bond proposition, in no less than 10-point boldface type, a legend substantially as follows:

"The above statement is an impartial analysis of Measure \_\_\_\_\_. If you desire a copy of the measure, please call the Ventura County Registrar of Voters at {phone number} and a copy will be mailed at no cost to you."

together with the following statement, if applicable:

"You may also access the full text of Measure \_\_\_\_\_ on the Ventura County Web site at the following Web site address:  
\_\_\_\_\_."

Section 5. No State Matching Funds. The District has determined that the projects to be funded from the proposed bonds will not require State matching funds for any phase thereof, and that Section 15122.5 of the Education Code does not apply to the proposition, and accordingly, the Registrar of Voters is directed not to include the disclosure otherwise required by that section.

Section 6. Required Vote: Pursuant to Section 18 of Article XVI and Section 1 of Article XIII A of the State Constitution, the proposition contained in Exhibit A shall become effective upon the affirmative vote of at least 55% of those voters voting on the proposition.

Section 7. Request to County Officers to Conduct Election: The Registrar of Voters of the County is hereby requested, pursuant to Section 5322 of the Education Code, to take all steps to call and hold the election in accordance with law and these specifications.

Section 8. Consolidation Requirement; Canvass: (a) Pursuant to Education Code Section 15266(a), the election shall be consolidated with the statewide general election on November 4, 2008, and pursuant to Part 3 (commencing with Section 10400) of Division 10 of the Elections Code, the Registrar of Voters and the Board of Supervisors of the County are hereby requested to order consolidation of the election with such other elections as may be held on the same day in the same territory or in territory that is in part the same.

(b) The Board of Supervisors of the County is authorized and requested to canvass the returns of the election, pursuant to Section 10411 of the Elections Code.

Section 9. Delivery of Order of Election to County Officers: The Clerk of the Board of Trustees of the District is hereby directed to cause to be filed as soon as practicable, and in any event no later than July 14, 2008 (which date is not fewer than 88 days prior to the date set for the election), (1) with the Registrar of Voters of the County, one true copy of this Resolution, including the Tax Rate Statement (in substantially the form attached hereto as Exhibit C), completed and signed by the Superintendent, and (2) with the Clerk of the Board of Supervisors of the County, one copy of this Resolution.

Section 10. Ballot Arguments: The President of this Board, or any member or members of this Board as the President shall designate, are hereby authorized, but not directed, to prepare and file with the Registrar of Voters a ballot argument in favor of the proposition contained in Exhibit A hereof, within the time established by the Registrar of Voters, which shall be considered the official ballot argument of this Board as sponsor of the proposition.

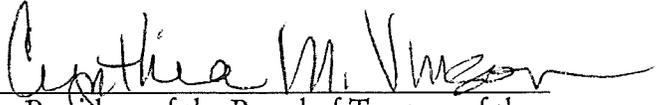
Section 11. Further Authorization: The members of this Board, the Superintendent, the Assistant Superintendent, Business and Administrative Services, and all other officers of the District are hereby authorized and directed, individually and collectively, to do any and all things that they deem necessary or advisable in order to effectuate the purposes of this resolution in accordance with the terms hereof and of applicable provisions of law.

Section 12. Effective Date; Required Vote: This Resolution shall take effect upon its adoption by the affirmative vote of at least two-thirds of the members of this Board.

PASSED AND ADOPTED this day, July 1, 2008, by the following vote:

AYES: 4  
NOES: 0  
ABSTAIN: 0  
ABSENT: 1

APPROVED:

  
\_\_\_\_\_  
President of the Board of Trustees of the  
Oak Park Unified School District

Attest:

  
\_\_\_\_\_  
Clerk of the Board of Trustees of the  
Oak Park Unified School District

**EXHIBIT A  
to Resolution Ordering Election**

**FULL TEXT OF PROPOSITION  
(the following to be printed in voter information pamphlet)**

SCHOOL IMPROVEMENT BOND OF 2008

This Proposition may be known and referred to as the "School Improvement Bond of 2008" or as "Measure \_\_\_\_". [*designation to be assigned by County Registrar of Voters*]

BOND AUTHORIZATION

By approval of this proposition by at least 55% of the registered voters voting on the proposition, the Oak Park Unified School District shall be authorized to issue and sell bonds of up to \$29,445,000 in aggregate principal amount to provide financing for the specific school facilities projects listed in the Bond Project List below, subject to all of the accountability safeguards specified below.

Proceeds from the sale of bonds authorized by this proposition shall be used only for the repair, renovation, rehabilitation, or replacement of school facilities, including the furnishing and equipping of school facilities, or the acquisition or lease of real property for school facilities, and not for any other purpose, including teacher and administrator salaries and other school operating expenses, except to reimburse the District for the cost of District staff when performing work on or necessary and incidental to the bond projects.

ACCOUNTABILITY SAFEGUARDS

The provisions in this section are specifically included in this proposition in order that the Oak Park Unified School District's voters and taxpayers may be assured that their money will be spent wisely to address specific facilities needs of the Oak Park Unified School District, all in compliance with the requirements of Article XIII A, Section 1(b)(3) of the State Constitution, and the Strict Accountability in Local School Construction Bonds Act of 2000 (codified at Education Code Sections 15264 and following).

Evaluation of Needs. The Board of Trustees has prepared an updated facilities plan in order to evaluate and address all of the facilities needs of the Oak Park Unified School District at each campus and facility, and to determine which projects to finance from a local bond at this time. The Board of Trustees hereby certifies that it has evaluated safety, class size reduction and information technology needs in developing the Bond Project List.

Independent Citizens' Oversight Committee. The Board of Trustees shall establish an independent Citizens' Oversight Committee (pursuant to Education Code Section 15278 and following), to ensure bond proceeds are spent only for the school facilities projects listed in the Bond Project List. The committee shall be established within 60 days of the date when the results of the election appear in the minutes of the Board of Trustees.

Annual Performance Audits. The Board of Trustees shall conduct an annual, independent performance audit to ensure that the bond proceeds have been expended only on the school facilities projects listed in the Bond Project List.

Annual Financial Audits. The Board of Trustees shall conduct an annual, independent financial audit of the bond proceeds until all of those proceeds have been spent for the school facilities projects listed in the Bond Project List.

Special Bond Proceeds Account; Annual Report to Board. Upon approval of this proposition and the sale of any bonds approved, the Board of Trustees shall take actions necessary pursuant to Government Code Section 53410 and following to establish an account in which proceeds of the sale of bonds will be deposited. As long as any proceeds of the bonds remain unexpended, the Superintendent of the District shall cause a report to be filed with the Board no later than December 31 of each year, commencing December 31, 2009, stating (1) the amount of bond proceeds received and expended in that year, and (2) the status of any project funded or to be funded from bond proceeds. The report may relate to the calendar year, fiscal year, or other appropriate annual period as the Superintendent shall determine, and may be incorporated into the annual budget, audit, or other appropriate routine report to the Board.

#### BOND PROJECT LIST

The Bond Project List below describes the specific projects the Oak Park Unified School District proposes to finance with proceeds of the bonds. Listed projects will be completed as needed at a particular school site according to Board-established priorities, and the order in which such projects appear on the Bond Project List is not an indication of priority for funding or completion. The final cost of each project will be determined as plans are finalized, construction bids are awarded, and projects are completed. Certain construction funds expected from non-bond sources, including State grant funds for eligible projects, have not yet been secured. Until all project costs and funding sources are known, the Board of Trustees cannot determine the amount of bond proceeds available to be spent on each project, nor guarantee that the bonds will provide sufficient funds to allow completion of all listed projects. Completion of some projects may be subject to further government approvals by State officials and boards, to local environmental review, and to input from the public. For these reasons, inclusion of a project on the Bond Project List is not a guarantee that the project will be funded or completed. The Board of Trustees may make changes to the Bond Project List in the future consistent with the projects specified in the proposition.

Unless otherwise noted, the following projects are authorized to be completed at each or any of the District's sites:

- Repair, replace or modify roofs or portions of roofs to repair or prevent leaks and water damage;
- Repair, modify, upgrade or reconstruct structural elements of existing campus structures to improve earthquake safety;
- Improve or replace fire safety and life safety systems, including alarms, smoke/fire detection systems, and sprinklers;

- Upgrade classroom, science lab, restroom and other facility interiors, including floor and ceiling finishes, windows, cabinets, fixtures and casework, replace, install or construct interior walls, and acquire equipment (including science lab equipment);
- Upgrade/install school-wide and District-wide security systems and clock and bell systems, including alarms, security cameras, lighting, monitoring systems, etc.;
- Replace doors and door hardware, including install safety/security locks;
- Replace, repair or upgrade plumbing, piping and drainage systems, including water supply, meters, water heating, and wastewater systems, plumbing fixtures and sinks, etc.;
- Upgrade climate control systems for heating, ventilation, cooling/air conditioning, including alternative and passive technologies to conserve energy, such as energy-efficient windows, window coverings and shade control, shade canopies, etc.;
- Upgrade electrical systems as well as main power service and distribution, which may include active or passive solar heating system acquisition, installation and construction;
- Upgrade/install voice and data communications systems, including network and electrical infrastructure to accommodate technology upgrades;
- Refinish the exterior of school buildings, including stucco, wood and metal trims, framing and siding, etc.;
- Upgrade and expand parking and vehicle access to school sites, including off-street parking areas, pickup/drop-off, ingress/egress, etc.;
- Upgrade, repair, replace, modify or construct site improvements, paths, sidewalks and walkways, canopies, exterior shade structures, landscaping improvements, irrigation and drainage, etc.;
- Acquire, install, replace or remove relocatable classrooms as needed; and
- Acquire and install clean energy systems where economically feasible.

Each project listed is assumed to include its share of costs of the election and bond issuance and other construction-related costs, such as construction management, architectural, engineering, inspection and other planning costs, legal, accounting and similar fees, independent annual financial and performance audits, a customary construction contingency, and other costs incidental to and necessary for completion of the listed projects (whether work is performed by the District or by third parties), including:

- remove, dispose of, and otherwise remediate hazardous materials, including asbestos, lead, etc., where necessary;
- address unforeseen conditions revealed by construction/modernization (including plumbing or gas line breaks, dry rot, seismic, structural, etc.);

- other improvements required to comply with existing building codes, including the Field Act, and access requirements of the Americans with Disabilities Act (ADA);
- necessary site preparation/restoration in connection with renovation or remodeling, or installation or removal of relocatable classrooms, including ingress, egress, parking and student dropoff, traffic lights and mitigation; demolition of existing structures; removing, replacing, or installing irrigation, drainage, utility lines (gas, water, sewer, electrical, data and voice, etc.), trees and landscaping; relocating fire access roads; and acquiring any necessary easements, licenses, or rights of way to the property;
- rent or construct storage facilities and other space on an interim basis, as needed to accommodate construction materials, equipment, and personnel, and interim classrooms (including relocatables) for students and school functions or other storage for classroom materials displaced during construction;
- acquisition of any of the facilities on the Bond Project List through temporary lease or lease-purchase arrangements, or execute purchase option under a lease for any of these authorized facilities; and
- furnishing and equipping of existing and modernized or rehabilitated classrooms and facilities on an ongoing basis, including to replace worn, broken, or out-of-date furniture and equipment for all classrooms, athletic facilities and other facilities, as needed.

For any project involving renovation, repair or rehabilitation of a building or the major portion of a building, the District shall be authorized to proceed with new replacement construction instead (including any necessary demolition), if the Board of Trustees determines that replacement and new construction is more practical than rehabilitation and renovation, considering the building's age, condition, expected remaining life, comparative cost, and other relevant factors.

#### FURTHER SPECIFICATIONS

Specific Purposes. All of the purposes enumerated in this proposition shall be united and voted upon as one single proposition, pursuant to Education Code Section 15100, and shall constitute the specific purposes of the bonds, and proceeds of the bonds shall be spent only for such purposes, pursuant to Government Code Section 53410.

Other Terms of the Bonds. When sold, the bonds shall bear interest at an annual rate not exceeding the statutory maximum, payable at the time or times permitted by law. The bonds may be issued and sold in several series, and no bond shall be made to mature more than 30 years from the date borne by that bond.

The Bond Project List shall be considered a part of this ballot proposition, and shall be reproduced in any official document required to contain the full statement of the bond proposition.

**[End of Full Text of Proposition]**

**EXHIBIT B**  
**to Resolution Ordering Election**

**ABBREVIATION OF PROPOSITION**  
**(the following to appear on ballot)**

To support high quality education in Oak Park schools by repairing, renovating and improving aging facilities; repairing water damage and failing roofs; removing hazardous materials; making schools earthquake safe; replacing outdated fire and security systems; and improving classrooms to modern safety and instructional standards; shall Oak Park Unified School District issue \$29,445,000 in bonds at lawful interest rates, with mandatory annual audits and independent citizens' oversight of all expenditures, and no bond funds for administrators?

**EXHIBIT C**  
**to Resolution Ordering Election**

**(the following to be printed in voter information pamphlet)**

**TAX RATE STATEMENT**  
**(SECTIONS 9400-9404 OF THE ELECTIONS CODE)**

To: The voters voting in the November 4, 2008 election on the question of the issuance of \$29,445,000 General Obligation Bonds of the Oak Park Unified School District.

You are hereby notified in accordance with the Elections Code of the State of California of the following:

1. The best estimate from official sources of the tax rate which would be required to be levied to fund principal and interest payments during the first fiscal year after the first sale of bonds (Fiscal Year 2009-2010), based on assessed valuations available at the time of the election and taking into account estimated future growth, is the following:

\$.04487 per \$100 of assessed valuation, which equates to \$44.87 per \$100,000 of assessed valuation.

2. The best estimate from official sources of the tax rate which would be required to be levied to fund principal and interest payments during the first fiscal year after the last sale of bonds and an estimate of the year in which that rate will apply, based on assessed valuations available at the time of the election and taking into account estimated future growth, is as follows:

\$.04487 per \$100 of assessed valuation, which equates to \$44.87 per \$100,000 of assessed valuation.

First fiscal year after last sale of bonds: 2012-2013

3. The best estimate from official sources of the highest tax rate which would be required to be levied to fund principal and interest payments on the bonds and an estimate of the year in which that rate will apply, based on assessed valuations available at the time of the election and taking into account estimated future growth, is as follows:

\$.04487 per \$100 of assessed valuation, which equates to \$44.87 per \$100,000 of assessed valuation.

Year of highest tax rate: Tax is projected to be the same every year.

Submission of the foregoing statement has been approved by the Oak Park Unified School District.

CLERK'S CERTIFICATE

I, Mary Rees, Clerk of the Board of Trustees of the Oak Park Unified School District, County of Ventura, 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 Trustees of the District duly and regularly held at the regular meeting place thereof on July 1, 2008, and entered in the minutes thereof, of which meeting all of the members of the Board of Trustees had due notice and at which a quorum thereof was present. The resolution was adopted by the following vote:

AYES: 4

NOES: 0

ABSTAIN: 0

ABSENT: 1

An agenda of the meeting was posted at least 72 hours beforehand at 5801 East Conifer Street, Oak Park, California, a location freely accessible to members of the public, and a brief description of the adopted 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 file and of record in my office. The resolution has not been amended, modified or rescinded since the date of its adoption, and the same is now in full force and effect.

WITNESS my hand this 1st day of JULY, 2008.

  
\_\_\_\_\_  
Clerk of the Board of Trustees  
Oak Park Unified School District

**OAK PARK UNIFIED SCHOOL DISTRICT  
5801 E. CONIFER STREET  
OAK PARK, CALIFORNIA 91377  
(818) 735-3206**

**AGENDA #790  
NOTICE OF SPECIAL BOARD MEETING**

Written notice is hereby given in accordance with Education Code Section 54957 that a special meeting and closed session of the Board of Education of Oak Park Unified School District will be held:

DATE: Tuesday, July 1, 2008  
TIME: 6:30 p.m. Open Session  
PLACE: Oak Park High School Library  
Film & Lecture Room  
899 N. Kanan Road  
Oak Park, CA 91377

The business to be transacted at the meeting shall be limited to the following:

**OPEN SESSION**

**ACTION**

1. Approve Consolidated Programs Application Part I – 2008-2009
2. Approve Authorization to Award Bid
3. Approve Resolution #08-18 Ordering a School Bond Election Pursuant to Section 15100 of the Education Code and Authorizing Necessary Actions in Connection Therewith to be held on November 4, 2008

Date: June 27, 2008

Anthony W. Knight, Ed.D.  
Superintendent and Secretary to the  
Board of Education

**TO: MEMBERS, BOARD OF EDUCATION**

**FROM: DR. ANTHONY W. KNIGHT, SUPERINTENDENT**

**DATE: JULY 1, 2008**

**SUBJECT: 3. APPROVE RESOLUTION #08-18 – ORDERING A SCHOOL BOND ELECTION PURSUANT TO SECTION 15100 OF THE EDUCATION CODE AND AUTHORIZING NECESSARY ACTIONS IN CONNECTION THEREWITH TO BE HELD ON NOVEMBER 4, 2008**

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ACTION

**ISSUE:** Shall the Board of Education approve Resolution #08-18 Ordering a School Bond Election Pursuant to Section 15100 of the Education Code and Authorizing Necessary Actions in Connection Therewith to be held on November 4, 2008?

**STATEMENT:** Attached is a draft copy of a resolution to be considered. The Board will be able to make revisions and assign a dollar amount to this resolution at the meeting. Jared Boigon, Tim Carty and a representative from our Bond Counsel will all be present at the meeting to advise the Board on revisions.

- ALTERNATIVES:**
1. Approve Resolution #08-18 Ordering a School Bond Election Pursuant to Section 15100 of the Education Code and Authorizing Necessary Actions in Connection Therewith to be held on November 4, 2008.
  2. Do not approve Resolution #08-18 Ordering a School Bond Election Pursuant to Section 15100 of the Education Code and Authorizing Necessary Actions in Connection Therewith to be held on November 4, 2008.
  3. Approve a revised version of Resolution #08-18 Ordering a School Bond Election Pursuant to Section 15100 of the Education Code and Authorizing Necessary Actions in Connection Therewith to be held on November 4, 2008

**RECOMMENDATION:** Alternative #1

Respectfully submitted:

\_\_\_\_\_  
 Anthony W. Knight, Ed.D.  
 Superintendent

**Board Action:** On motion of MR, seconded by BL, the Board of Education:

VOTE:	AYES	NOES	ABSTAIN	ABSENT
Iceland	✓	_____	_____	_____
Laifman	✓	_____	_____	_____
Panec	_____	_____	_____	✓
Rees	✓	_____	_____	_____
Vinson	✓	_____	_____	_____
Student Rep	_____	_____	_____	_____

RESOLUTION NO. 16-16

RESOLUTION OF THE BOARD OF EDUCATION OF OAK  
PARK UNIFIED SCHOOL DISTRICT ORDERING AN  
ELECTION, AND ESTABLISHING SPECIFICATIONS OF THE  
ELECTION ORDER

WHEREAS, the Board of Education (the "Board") is committed to protecting the quality of education in local public schools by upgrading aging classrooms, science labs and computer systems to keep pace with technology at all schools; and

WHEREAS, the Board has determined that schools within the Oak Park Unified School District (the "District") need to be upgraded, repaired, expanded, improved and better equipped, in a fiscally prudent manner, so that our schools stay competitive with other top performing districts in the State of California (the "State"); and

WHEREAS, the Board believes it is in the best interest of the District to continue to address facility improvements now before they become more pressing and more costly, and provide classrooms, labs and career technical education courses so students are prepared for college and good-paying jobs in fields like health science, engineering, technology, robotics and the skilled trades; and

WHEREAS, whether or not Oak Park residents have school-age children, protecting the quality of our schools, the quality of life in our community, and the value of our homes, is a wise investment; and

WHEREAS, the State is not providing the District with enough money for the District to adequately maintain its educational facilities and academic programs; and

WHEREAS, the Board has concluded that the District's only remedy to avoid the undermining of its educational programs is securing local funding that the State cannot take away or be used for other purposes; and

WHEREAS, the Board has received information regarding the possibility of a local bond measure and its bonding capacity; and

WHEREAS, a local measure will help provide funds that cannot be taken away by the State to upgrade aging schools, update instructional technology and help the District to qualify for millions of dollars of State matching funds; and

WHEREAS, such measure will include mandatory taxpayer protections, including an independent citizens' oversight committee and mandatory audits to ensure funds are spent as promised; and

WHEREAS, the Board and District have solicited stakeholder and community input on school priorities from parents, teachers, staff and the community; and

WHEREAS, on November 7, 2000, the voters of California approved the Smaller Classes, Safer Schools and Financial Accountability Act ("Proposition 39") which reduced the voter threshold

for *ad valorem* tax levies used to pay for debt service on bonded indebtedness to 55% of the votes cast on a school district general obligation bond; and

WHEREAS, concurrent with the passage of Proposition 39, Chapter 1.5, Part 10, Division 1, Title 1 (commencing with Education Code Section 15264) (the "Act") became operative and established requirements associated with the implementation of Proposition 39; and

WHEREAS, the Board desires to make certain findings herein to be applicable to this election order and to establish certain performance audits, standards of financial accountability and citizen oversight that are contained in Proposition 39 and the Act; and

WHEREAS, the Board desires to authorize the submission of a proposition to the District's voters at an election to authorize the issuance of bonds to pay for certain necessary improvements and enhancements to District educational facilities; and

WHEREAS, the Board hereby determines that, in accordance with Opinion No. 04-110 of the Attorney General of the State of California, the restrictions in Proposition 39 which prohibit any bond money from being wasted or used for inappropriate administrative salaries or operating expenses of the District shall be strictly monitored by the District's Citizens' Oversight Committee; and

WHEREAS, pursuant to Education Code Section 15270, based upon a projection of assessed property valuation, the Board has determined that, if approved by voters, the tax rate levied to meet the debt service requirements of the bonds proposed to be issued will not exceed the Proposition 39 limits per year per \$100,000 of assessed valuation of taxable property; and

WHEREAS, Elections Code Section 9400 *et seq.* requires that a tax rate statement be contained in all official materials relating to the election, including any ballot pamphlet prepared, sponsored, or distributed by the District; and

WHEREAS, the Board desires to authorize the filing of a tax rate statement and a ballot argument in favor of the proposition to be submitted to the voters at the election; and

WHEREAS, pursuant to the Elections Code, it is appropriate for the Board to request consolidation of the election with any and all other elections to be held on Tuesday, November 8, 2016, and to request the Ventura County Registrar of Voters to perform certain election services for the District.

NOW THEREFORE, THE BOARD OF EDUCATION OF THE OAK PARK UNIFIED SCHOOL DISTRICT DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. That the Board, pursuant to Education Code Sections 15100 *et seq.*, 15264 *et seq.*, and Government Code Section 53506, hereby requests the Ventura County Registrar of Voters to conduct an election under the provisions of Proposition 39 and the Act and submit to the electors of the District the question of whether bonds of the District in the aggregate principal amount of \$60,000,000 (the "Bonds") shall be issued and sold for the purpose of raising money for the projects described in Exhibits "A" and "B" hereto. Both exhibits are directed to be printed in the voter pamphlet.

Section 2. That the date of the election shall be November 8, 2016.

Section 3. That the purpose of the election shall be for the voters in the District to vote on a proposition, a copy of which is attached hereto and marked Exhibit "A," incorporated by reference herein, and containing the question of whether the District shall issue the Bonds to pay for improvements to the extent permitted by such proposition. In compliance with Proposition 39 policies of the Board and the Act, the ballot propositions in Exhibits "A" and "B" are subject to the following requirements and determinations:

(a) the proceeds of the sale of the Bonds shall be used only for the purposes set forth in the ballot measure and not for any other purpose, including teacher or administrator salaries or other school operating expenses;

(b) that the Board, in establishing the projects set forth in Exhibit "B," evaluated the safety, class size reduction, classroom, educational and information technology needs of the District as well as the importance of the projects to improve student learning in core subjects like reading, math, science and technology;

(c) that the Board shall cause an annual, independent performance audit to be conducted to ensure that the Bond monies get spent only for the projects identified in Exhibit "B" hereto;

(d) that the Board shall cause an annual, independent financial audit of the proceeds from the sale of Bonds to be conducted until all of the Bond proceeds have been expended;

(e) that the Board shall appoint a Citizens' Oversight Committee in compliance with Education Code Section 15278 no later than 60 days after the Board enters the election results in its minutes pursuant to Education Code Section 15274; and

(f) that the tax levy authorized to secure the Bonds of this election shall not exceed the Proposition 39 limits per \$100,000 of taxable property in the District when assessed valuation is projected by the District to increase in accordance with Article XIII A of the California Constitution.

Section 4. That the authority for ordering the election is contained in Education Code Sections 15100 *et seq.*, 15264 *et seq.*, and Government Code Section 53506.

Section 5. That the authority for the specifications of this election order is contained in Education Code Section 5322.

Section 6. That the Ventura County Registrar of Voters and the Ventura County Board of Supervisors are hereby requested to consolidate the election ordered hereby with any and all other elections to be held on November 8, 2016 within the District. As provided in Elections Code Section 10403, the District acknowledges that the consolidation election will be conducted in the manner described in Elections Code Section 10418.

Section 7. That the Secretary of the Board is hereby directed to deliver a certified copy of this Resolution to the Ventura County Registrar of Voters no later than July 5, 2016.

Section 8. That Bonds may be issued pursuant to Education Code Section 15264 *et seq.* or Government Code Section 53506. The maximum rate of interest on any Bond shall not exceed the

maximum rate allowed by Education Code Sections 15140 to 15143, as modified by Government Code Section 53531.

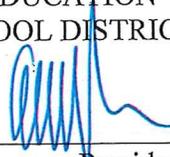
Section 9. That the Board requests the governing body of any such other political subdivision, or any officer otherwise authorized by law, to partially or completely consolidate such election and to further provide that the canvass of the returns of the election be made by any body or official authorized by law to canvass such returns, and that the Board consents to such consolidation. The Board further authorizes the submission of a tax rate statement and primary and rebuttal arguments, as appropriate, to be filed with the Ventura County Registrar of Voters by the established deadlines.

Section 10. Pursuant to Education Code Section 5303 and Elections Code Section 10002, the Board of Supervisors of Ventura County is requested to permit the Registrar of Voters to render all services specified by Elections Code Section 10418 relating to the election, for which services the District agrees to reimburse Ventura County, such services to include the publication of a Formal Notice of School Bond Election and the mailing of the sample ballot and tax rate statement (described in Elections Code Section 9401) pursuant to the terms of Education Code Section 5363 and Elections Code Section 12112.

ADOPTED, SIGNED AND APPROVED this 15<sup>th</sup> day of June, 2016.

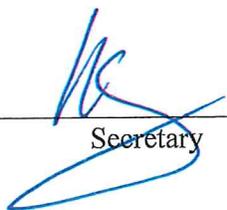
BOARD OF EDUCATION OF THE OAK PARK  
UNIFIED SCHOOL DISTRICT

By \_\_\_\_\_



President

Attest:



Secretary



EXHIBIT A

“To improve student safety and campus security systems, repair/ upgrade older classrooms and school facilities, including deteriorating roofs, plumbing, electrical, and air conditioning systems, acquire, construct, and repair classrooms, sites, facilities, equipment and instructional technology to support student achievement in reading, math, arts, humanities, science/ technology, shall Oak Park Unified School District issue \$60,000,000 in bonds at legal rates, with independent citizen oversight, audits, no money for administrator salaries, all money staying local, and without increasing current tax rates?”

Bonds -- Yes

Bonds - No

## EXHIBIT B

### FULL TEXT BALLOT PROPOSITION OF THE OAK PARK UNIFIED SCHOOL DISTRICT BOND MEASURE ELECTION NOVEMBER 8, 2016

The following is the full proposition presented to the voters by the Oak Park Unified School District.

“To improve student safety and campus security systems, repair/ upgrade older classrooms and school facilities, including deteriorating roofs, plumbing, electrical, and air conditioning systems, acquire, construct, and repair classrooms, sites, facilities, equipment and instructional technology to support student achievement in reading, math, arts, humanities, science/ technology, shall Oak Park Unified School District issue \$60,000,000 in bonds at legal rates, with independent citizen oversight, audits, no money for administrator salaries, all money staying local, and without increasing current tax rates?”

#### PROJECT LIST

The Board of Education of the Oak Park Unified School District is committed to protecting the quality of education in local schools with safe, secure, upgraded classrooms and labs for career and technology education classes so students are prepared for college and good-paying jobs in fields like health sciences, engineering, technology, robotics, and skilled trades. To that end, the Board evaluated the District’s urgent and critical facility needs, including safety issues, class size, computer and information technology, and prepared a Needs Assessment (dated Spring 2016) which is incorporated herein in its entirety, in developing the scope of projects to be funded. The District conducted a facilities evaluation and received public input in developing this Project List. Teachers, staff, community members and the Board have prioritized the key health and safety needs so that the most critical facility needs are addressed. **The Board concluded that protecting the quality of our schools, the quality of life in our community, and the value of our homes is a wise investment.** Therefore, in approving this Project List, the Board of Education determines that the District must:

- (i) **Retain all funds to support students and ensure that money cannot be taken away by the State; and**
- (ii) **Provide classrooms and labs for career and technology education classes so students are prepared for college and good-paying jobs in fields like health sciences, engineering, technology, and skilled trades; and**
- (iii) **Repair or replace deteriorating roofs, plumbing, electrical and air conditioning systems; and**
- (iv) **Upgrade instructional technology in the classroom for improved student learning in core subjects like math, and technology; and**
- (v) **Adhere to clear system of accountability, such as:**
  - (a) **All expenditures must be subject to annual independent financial audits.**
  - (b) **An independent citizens’ oversight committee must be appointed to ensure that all funds are spent properly.**

The Project List includes the following types of upgrades and improvements at District schools and sites:

**COLLEGE AND CAREER PREPARATION:**  
**District-Wide Instructional Technology Projects**

**Goal and Purpose:** We want our students to succeed in college and careers, and therefore they must be skilled in the use of today's technologies and have a solid background in math, science, engineering and technology. This measure will update instructional technology in the classroom for improved student learning in core subjects like reading, math, science and technology.

- Update instructional technology in the classroom for improved student learning in core subjects like math, science and technology.
- Provide classrooms and labs for career technology education classes so students are prepared for college and good-paying jobs in fields like health sciences, engineering, technology, robotics and skilled trades.
- Upgrade computer systems to keep pace with technology; upgrade classroom and library technology and teaching equipment to enhance instruction.

**LOCAL SCHOOL FUNDING TO KEEP PACE WITH TECHNOLOGY:**  
**Basic School Repair and Upgrade Projects**

**Goals and Purposes:** All money raised by the measure will stay in Oak Park to support our students. It cannot be taken away by the State or used for other purposes.

This measure will help the District qualify for millions of dollars in State matching money that would otherwise go to other school districts.

This measure will provide classrooms and labs for career technical education courses so students are prepared for college and good-paying jobs in fields like health sciences, engineering, technology, robotics and skilled trades.

- Upgrade and construct classrooms, science labs, career-training facilities and computer systems to keep pace with technology.
- Repair or replace deteriorating roofs, plumbing, electrical and air conditioning systems where needed.
- Upgrade and modernize school libraries.
- Install solar and improve heating, ventilation, insulation, doors and windows to increase energy efficiency and save money.
- Provide the facilities and equipment needed to support high quality instruction in music and performing arts.

**SAFETY AND STUDENT ACHIEVEMENT:**  
**Projects That Improve Student Safety**

**Goal and Purpose:** Whether or not you have school-age children, protecting the quality of our schools, the quality of life in our community, and the value of our homes is a wise investment. This measure will upgrade campus security systems for improved student safety.

- Replace aging, outdated portables that are expensive to repair with new modern classrooms.
- Improve student safety and campus security systems, including security, lighting, security cameras, and emergency communication systems.
- Improve pick-up and drop-off zones and parking lots to improve student safety and the flow of traffic on neighborhood streets.
- Upgrade irrigation and drainage systems to conserve water and save money.
- Provide classrooms and labs for career technical education courses so students are prepared for college and good-paying jobs in fields like health, sciences, engineering, technology and skilled trades.

**FISCAL ACCOUNTABILITY**

**This bond measure has strict accountability requirements including:**

1. All money will benefit local schools and CANNOT BE TAKEN BY THE STATE.
2. NO MONEY can be used for ADMINISTRATOR SALARIES or administration
3. Require CITIZENS' OVERSIGHT and yearly reports to the community to keep the District accountable for how the funds are spent.
4. NO ADMINISTRATOR SALARIES. Proceeds from the sale of the bonds authorized by this proposition shall be used only for the acquisition, construction, reconstruction, rehabilitation, or replacement of school facilities, including the furnishing and equipping of school facilities, and not for any other purpose, including teacher or administrator salaries, pensions and other operating expenses.
5. FISCAL ACCOUNTABILITY. THE EXPENDITURE OF BOND MONEY ON THESE PROJECTS IS SUBJECT TO STRINGENT FINANCIAL ACCOUNTABILITY REQUIREMENTS. BY LAW, PERFORMANCE AND FINANCIAL AUDITS WILL BE PERFORMED ANNUALLY, AND ALL BOND EXPENDITURES WILL BE MONITORED BY AN INDEPENDENT CITIZENS' OVERSIGHT COMMITTEE TO ENSURE THAT FUNDS ARE SPENT AS PROMISED AND SPECIFIED. THE CITIZENS' OVERSIGHT COMMITTEE MUST INCLUDE, AMONG OTHERS, REPRESENTATION OF A BONA FIDE TAXPAYERS ASSOCIATION, A BUSINESS ORGANIZATION AND A SENIOR CITIZENS ORGANIZATION. NO DISTRICT EMPLOYEES OR VENDORS ARE ALLOWED TO SERVE ON THE CITIZENS' OVERSIGHT COMMITTEE.

\* \* \*

The listed projects will be completed as needed. Each project is assumed to include its share of furniture, equipment, architectural, engineering, and similar planning costs, program/project management, staff training expenses and a customary contingency for unforeseen design and construction costs. In addition to the listed projects stated above, the Project List also includes the acquisition of a variety of instructional, maintenance and operational equipment, including the reduction or retirement of outstanding lease obligations and interim funding incurred to advance fund projects from the Project List; installation of signage and fencing; payment of the costs of preparation of all facility planning, facility studies, assessment reviews, facility master plan preparation and updates, environmental studies (including environmental investigation, remediation and monitoring), design and construction documentation, and temporary housing of dislocated District activities caused by construction projects. In addition to the projects listed above, the repair and renovation of each of the existing school facilities may include, but not be limited to, some or all of the following: renovate student and staff restrooms; upgrade libraries for 21<sup>st</sup> Century learning, including breakout rooms and carrels; repair and replace heating and ventilation systems; upgrade of facilities for energy efficiencies; repair and replace worn-out and deteriorated roofs, windows, walls, doors and drinking fountains; improve school facilities for disability access; install shade structures, wiring and electrical systems to safely accommodate computers, technology and other electrical devices and needs; upgrade or construct classrooms, labs, support facilities, including administrative, physical education (including playground equipment, tracks, bleachers, gyms (for student and community use), stadiums and locker rooms) and visual and performing arts facilities; repair and replace gas, water and sewer systems and lines, fire alarms, phone systems, emergency communications, security systems, doors and locks; resurface or replace hard courts, asphalt, turf and irrigation systems and campus landscaping; expand parking and drop-off areas; acquire land; acquire vehicles for student transportation and maintenance; interior and exterior painting and floor covering; demolition; construct various forms of storage and support spaces and classrooms; repair, upgrade and install interior and exterior lighting systems; improve playgrounds, athletic fields and play apparatus; replace outdated security fences and security cameras (including access control systems), provide indoor space for assemblies or for rainy day lunch; upgrade career training and adult education facilities; install solar panels or other energy saving systems. The upgrading of technology infrastructure includes, but is not limited to, computers, LCD projectors, portable interface devices, servers, switches, routers, modules, sound projection systems, laser printers, digital white boards, document projectors, upgrade voice-over-IP, call manager and network security/firewall, wireless technology systems, refresh classroom technology, infrastructure upgrades and other miscellaneous equipment. The allocation of bond proceeds will be affected by the District's receipt of State matching funds and the final costs of each project. In the absence of State matching funds, which the District will aggressively pursue to reduce the District's share of the costs of the projects, the District will not be able to complete some of the projects listed above. The budget for each project is an estimate and may be affected by factors beyond the District's control. Some projects throughout the District, such as the construction of a community and recreation center, and gyms for community use, may be undertaken as joint use projects in cooperation with other local public or non-profit agencies. The final cost of each project will be determined as plans and construction documents are finalized, construction bids are received, construction contracts are awarded and projects are completed. Based on the final costs of each project, certain of the projects described above may be delayed or may not be completed. Demolition of existing facilities and reconstruction of facilities scheduled for repair and upgrade may occur, if the Board determines that such an approach would be more cost-effective in creating more enhanced and operationally efficient campuses. Necessary site preparation/restoration may occur in connection with new construction, renovation or remodeling, or

installation or removal of relocatable classrooms, including ingress and egress, removing, replacing, or installing irrigation, utility lines, trees and landscaping, relocating fire access roads, and acquiring any necessary easements, licenses, or rights of way to the property. Proceeds of the bonds may be used to pay or reimburse the District for the cost of District staff when performing work on or necessary and incidental to bond projects. Bond proceeds shall only be expended for the specific purposes identified herein. The District shall create an account into which proceeds of the bonds shall be deposited and comply with the reporting requirements of Government Code § 53410.

NO ADMINISTRATOR SALARIES: PROCEEDS FROM THE SALE OF THE BONDS AUTHORIZED BY THIS PROPOSITION SHALL BE USED ONLY FOR THE ACQUISITION, CONSTRUCTION, RECONSTRUCTION, REHABILITATION, OR REPLACEMENT OF SCHOOL FACILITIES, INCLUDING THE FURNISHING AND EQUIPPING OF SCHOOL FACILITIES, AND NOT FOR ANY OTHER PURPOSE, INCLUDING TEACHER AND SCHOOL ADMINISTRATOR SALARIES AND OTHER OPERATING EXPENSES.

# OAK PARK UNIFIED SCHOOL DISTRICT BOARD POLICY

*Series 1000*

*Community Relations*

*BP 1220(a)*

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## Citizen Advisory Committees

The Governing Board recognizes that citizen advisory committees enable the Board to better understand interests and concerns of the community.

The Board shall establish citizen advisory committees when required by law, to strengthen the effectiveness of district and school operations, or to enhance student learning. The purpose of any such committees shall be clearly defined and aligned to the district's vision, mission and goals. The Board may dissolve any advisory committee not required by law when the committee has fulfilled its duties or at any time the Board deems it necessary.

*(cf. 0000 – Vision)*  
*(cf. 0200 – Goals for the School District)*  
*(cf. 0420 – School Plans/Site Councils)*  
*(cf. 0420.1 – School-Based Program Coordination)*  
*(cf. 0430 – Comprehensive Local Plan for Special Education)*  
*(cf. 2230 – Representative and Deliberative Groups)*  
*(cf. 3280 – Sale, Lease Rental of District-Owned Real Property)*  
*(cf. 5030 – Student Wellness)*  
*(cf. 6020 – Parent Involvement)*  
*(cf. 6174 – Education for English Language Learners)*  
*(cf. 6175 – Migrant Education Program)*  
*(cf. 6178 – Vocational Education)*  
*(cf. 9130 – Board Committees)*

The Superintendent or designee may establish advisory committees which shall report to him/her in accordance with law, Board policy, and administrative regulation.

Citizen advisory committees shall serve in a strictly advisory capacity; they may make recommendations, but their actions shall not be binding on the Board or Superintendent.

The membership of citizen advisory committees should reflect the diversity of the community and represent a diversity of viewpoints.

The Superintendent or designee shall provide training and information, as necessary, to enable committee members to understand the goals of the committee and to fulfill their role as committee members.

Within budget allocations, the Superintendent or designee may approve requests for committee travel and may reimburse committee members for expenses at the same rates and under the same conditions as those provided for district employees.

*(cf. 3350 - Travel Expenses)*

# OAK PARK UNIFIED SCHOOL DISTRICT BOARD POLICY

Series 1000

Community Relations

BP 1220(b)

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## Legal Reference:

### EDUCATION CODE

8070 Vocational education advisory committee  
11503 Parent involvement program  
15278-15282 Citizens' oversight committee  
15359.3 School facilities improvement districts  
17387-17391 Advisory committees for use of excess school facilities  
35147 School site councils and advisory committees  
41505-410508 Pupil Retention Block Grant  
41570-41573 School and Library Improvement Block Grant  
44032 Travel expense payment  
52176 Advisory committees (LEP program)  
52852 Site council, school-based program coordination  
54425 Advisory committees; compensatory education  
54444.1-54444.2 Services to migrant children; parent advisory councils  
56190-56194 Community advisory committee, special education  
62002.5 Continuing parent advisory committees; schools receiving funds from economic impact aid or bilingual education act

### REPEALED EDUCATION CODE FOR CATEGORICAL PROGRAMS

52012 School Site Council

### GOVERNMENT CODE

810.0 Tort claims act, definition employee  
810.4 Tort claims act, definition employment  
815.2 Injuries by employees within scope of employment  
820.9 Members of local public boards not vicariously liable  
6250-6270 California Public Records Act  
54950-54963 Brown Act

### UNITED STATES CODE, TITLE 42

1751 Note Local wellness policy

### COURT DECISIONS

*Frazer v. Dixon Unified School District*, (1993) 18 Cal.App.4<sup>th</sup> 781

Management Resources:

### CSBA PUBLICATIONS

*Maximizing School Board Leadership: Community Leadership*, 1996

### WEB SITES

CSBA: <http://www.csba.org>

California Department of Education: <http://www.cde.ca.gov>

Adopted: 2-22-78

Amended: 5-18-80, 12-17-85, 1-8-91, 9-17-02, 10-21-03, 9-20-05, 2-19-08

**OAK PARK UNIFIED SCHOOL DISTRICT  
ADMINISTRATIVE REGULATION**

*Series 1000*

*Community Relations*

*AR 1220(a)*

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Citizen Advisory Committees

Committee Charge

When committees are appointed, committee members shall receive written information which includes, but is not limited to:

1. The committee members' names
2. The procedure to be used in the selection of the committee chairperson and other committee officers
3. The name(s) and contact information of staff member(s) assigned to support the work of the committee
4. The goals and specific charge(s) of the committee, including its topic(s) for study
5. The specific period of time that the committee is expected to serve
6. Legal requirements regarding meeting conduct and public notifications
7. Resources available to help the committee perform its tasks
8. Timelines for progress reports and/or final report
9. Relevant Board policies and administrative regulations

Committees Subject to Brown Act Requirements

Brown Act requirements pertaining to open meetings, notices, and public participation pursuant to Government Code 54950-54963 shall be complied with by any committee created by formal action of the Governing Board, including, but not limited to, the following:

1. Advisory committee established pursuant to Education Code 56190-56194 related to special education

*(cf. 0430 - Comprehensive Local Plan for Special Education)*

2. Advisory committee established pursuant to Education Code 8070 related to career technical education

# OAK PARK UNIFIED SCHOOL DISTRICT ADMINISTRATIVE REGULATION

*Series 1000*

*Community Relations*

*AR 1220(b)*

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*(cf. 6178 - Career Technical Education)*

3. Committee established to assist in development of a student wellness policy pursuant to 42 USC 1758b

*(cf. 5030 - Student Wellness)*

4. Committee established pursuant to Education Code 17387-17391 related to the use or disposition of excess real property

*(cf. 3280 - Sale or Lease of District-Owned Real Property)*

5. Citizens' oversight committee established to examine the expenditure of general obligation bond or school facilities improvement bond revenues passed with a 55 percent majority of the voters pursuant to Education Code 15278 and 15359.3

*(cf. 7213 - School Facilities Improvement Districts)*

*(cf. 7214 - General Obligation Bonds)*

*(cf. 9130 - Board Committees)*

*(cf. 9320 - Meetings and Notices)*

*(cf. 9321 - Closed Session Purposes and Agendas)*

*(cf. 9321.1 - Closed Session Actions and Reports)*

*(cf. 9323 - Meeting Conduct)*

## Committees Not Subject to Brown Act Requirements

The following committees shall comply with procedural meeting requirements established in Education Code 35147:

1. Parent advisory committee and English learner parent advisory committee established pursuant to Education Code 52063 to review and comment on the local control and accountability plan

*(cf. 0460 - Local Control and Accountability Plan)*

2. School site councils established pursuant to Education Code 65000-65001 to develop and approve a school plan for student achievement

*(cf. 0420 - School Plans/Site Councils)*

3. District or school advisory committees established pursuant to Education Code 52176 related to programs for English learners

# OAK PARK UNIFIED SCHOOL DISTRICT ADMINISTRATIVE REGULATION

*Series 1000*

*Community Relations*

*AR 1220(c)*

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*(cf. 6174 - Education for English Learners)*

4. School advisory committees established pursuant to Education Code 54425(b) related to compensatory education

*(cf. 6171 - Title I Programs)*

5. Any district advisory committee established pursuant to Education Code 54444.2 related to migrant education programs

*(cf. 6175 - Migrant Education Program)*

6. School committees established pursuant to Education Code 11503 related to parent involvement

*(cf. 6020 - Parent Involvement)*

Meetings of the above councils or committees shall be open to the public, and any member of the public shall have the opportunity to address the council or committee during the meeting on any item within its jurisdiction. Notice of the meeting shall be posted at the school site or other appropriate accessible location at least 72 hours before the meeting, specifying the date, time and location of the meeting and containing an agenda that describes each item of business to be discussed or acted upon. (Education Code 35147)

The above councils or committees shall not take action on any item not listed on the agenda unless all members present unanimously find that there is a need to take immediate action and that this need came to the council's or committee's attention after the agenda was posted. In addition to addressing items on the agenda, members of the council, committee, or public may ask questions or make brief statements that do not have a significant effect on district students or employees or that can be resolved solely by providing information. (Education Code 35147)

Any council or committee violating the above procedural requirements must, at the demand of any person, reconsider the item at the next meeting, first allowing for public input on the item. (Education Code 35147)

Any materials provided to a council or committee shall be made available to any member of the public upon request pursuant to the California Public Records Act, Government Code 6250-6270. (Education Code 35147)

*(cf. 1340 - Access to District Records)*

**OAK PARK UNIFIED SCHOOL DISTRICT  
ADMINISTRATIVE REGULATION**

*Series 1000*

*Community Relations*

*AR 1220(d)*

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Committees Created by Superintendent

Committees which are created by the Superintendent or designee to advise the administration, do not report to the Board, and are not specified in Education Code 35147 shall not be subject to the requirements of the Brown Act or Education Code 35147.

*(cf. 2230 - Representative and Deliberative Groups)*

Adopted: 7-05

Amended: 7-07,2-14,12-18

# Oak Park Citizens' Oversight Committee 2018 Measure C-6 Annual Report May, 2019

## Background

On June 6, 2006, the Oak Park Unified School District (the "District") was authorized to issue and sell bonds up to \$17,500,000 in aggregate principal to provide financing for the following school facilities projects and equipment:

- Educational technology;
- Classroom furniture and equipment;
- Playground equipment;
- District vehicles;
- Food preparation and kitchen equipment;
- Equipment replacement

Measure C6 was approved by at least 55% of the voters of the District pursuant to the provisions of the Strict Accountability in Local School Construction Bonds Act of 2000, codified under Sections 15264 et seq. of the Education Code (Proposition 39). The Act requires the Board of Trustees (the "Board") to appoint a Citizens' Oversight Committee (the "Committee") after the successful bond election. Legal authority for formation and duties of the Committee is found in Sections 15264 and 15278 to 15282 of the Education Code.

## Committee Purpose

The Committee is charged by statute with the following purposes:

1. To promptly alert the public to any waste or improper expenditure of school construction bond money. *Educ. Code §15264(c)*;
2. To inform the public concerning the expenditure of bond revenues. *Educ. Code §15278(b)*;
3. To ensure that bond revenues are expended only for the purposes described in the Constitution; that is, for the construction, reconstruction, rehabilitation, or replacement of school facilities, including the furnishing and equipping of school facilities, or the acquisition or lease of real property for school facilities. *Calif. Const. art. XIII A, §1(b)(3)*; *Educ. Code §15278(b)(1)*;
4. To ensure that no funds are used for any teacher or administrative salaries or other school operating expenses. *Calif. Const. art. XIII A, §1(b)(3)(A)*; *Educ. Code §15278(b)(2)*.

## Committee Jurisdiction and Authorized Activities

In furtherance of its purposes, the Committee is authorized by statute to engage in the following activities:

1. Receive and review copies of the annual, independent **performance** audit required by the California Constitution;
2. Receive and review copies of the annual, independent **financial** audit required by the California Constitution;

**Oak Park Citizens' Oversight Committee**  
**2018 Measure C-6 Annual Report**  
**May, 2019**  
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3. Inspect 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;
4. Review efforts by the District to maximize bond revenues by implementing cost saving measures, including, but not limited to, all of the following:
  - a. Mechanisms designed to reduce the costs of professional fees;
  - b. Mechanisms designed to reduce the cost of site preparation;
  - c. Recommendations regarding the joint use of core facilities;
  - d. Mechanisms designed to reduce costs by incorporating efficiencies in school site design;
  - e. Recommendations regarding the use of cost-effective and efficient reusable facility plans.

It is also important to note that this Committee is specifically not responsible for, and has no jurisdiction over, the approval of contracts, the approval of change orders, the appropriation of funds, the handling of any legal matters, the approval of any plans or schedules, the approval of deferred maintenance plans, or the approval of the sale of bonds. The Committee is also not responsible for the creation or approval of technology plans or the recommendation or approval of any specific technologies.

It is within these parameters that the Committee performed its functions during the calendar year ended December 31, 2018.

### **Audits**

California State law requires that the sponsoring school district of an approved measure conduct an annual independent **performance** audit to ensure that bond funds have been expended only on the specific projects included on the list of projects the district presented to voters prior to approval of Measure C6.

Proposition 39 requires that the school district conduct an annual independent **financial audit** of the proceeds from the sale of the bonds until all of the proceeds have been expended for approved projects.

The annual financial and performance audits of OPUSD Measure C6 bond expenditures were conducted by Christy White Associates, A Professional Accountancy Corporation, an independent CPA firm. In the firm's report of the audits, they note: "We found the expenditures and transfers tested to be in compliance with the terms of the Measure C6 ballot measure, Facilities Plan, and applicable state laws and regulations without exception."

The annual fiscal audit of OPUSD Measure C6 bond expenditures for 2017 – 2018 ending June 30, 2018 was conducted by Christy White Accountancy Corporation (CWA), an independent auditing firm. The report is dated January 4, 2018. CWA tested \$529,708 of non-personnel expenses or 46% of the 2017-2018 expenditures for "validity, allowability and accuracy". CWA reported that they

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**2018 Measure C-6 Annual Report**  
**May, 2019**  
**Page 3 of 3**

found the expenditures and transactions tested to be in compliance with the terms of the Measure C6 Ballot measure, facilities plan and applicable state laws and regulations without exception.

Special note: The Committee report includes expenditures from July 2017 through June 2018 (school fiscal year basis – subject of the independent auditor's report).

**Committee Findings**

The Oak Park Unified School District's Citizens' Oversight Committee met on January 28, 2019, February 25, 2019, March 25, 2019 and April 29, 2019. The Committee has reviewed the audits of C6 bond expenditures conducted by Christy White Associates for the Fiscal Year ended on June 30, 2018 as well as unaudited expenditures through January 31, 2018. This report and more information regarding the Citizens' Oversight Committee can be found on the Oak Park School District's website ([www.oakparkusd.org](http://www.oakparkusd.org)). C6 expenditures during the fiscal year ending June 30th, 2018 reporting period were \$1,141,443. Cumulative C6 bond expenditures from inception through June 30, 2018 total \$18,714,533.

The Committee finds and notes the following:

1. From July 1, 2017 to June 30, 2018 the Bond Proceeds appear to have been expended for the purposes set forth in Measure C6.
2. The committee would like to acknowledge additional revenues shown during this period related to rebates, programs or discounts on eligible products (i.e. wireless classrooms and network switches) displayed a proactive approach to save money.

On June 30, 2018 the remaining fund balance for Measure C6 was \$5,071. It is expected that these funds will be expended by June 30, 2019.

**Respectfully submitted,**  
**OAK PARK CITIZENS' OVERSIGHT COMMITTEE**  
Grant Meikle, Committee Chair

**Citizens' Bond Oversight Committee Members**

Ty Avendano  
Audrey Israel  
Grant Meikle  
Durga Naga Lakshmi Kosaraju  
Michael Schneider  
Marc Shapiro  
Bing Xu Liu

# Oak Park Citizens' Oversight Committee 2018 Measure R Annual Report May 2019

## Summary

- The District's auditor reported that the District spent \$774,582 of Measure R bond funds on facilities acquisition and maintenance during the *fiscal* year July 1, 2017 through June 30, 2018.
- The District's auditor found that the District's expenditures from, and accounting for, Measure R bond funds was in compliance with Generally Accepted Accounting Principles and the relevant statutes and regulations.
- The District reported to the Citizens' Oversight Committee that projected spending for Measure R bond funds on facilities acquisition and maintenance during *calendar* year 2018 was \$610,170.
- The Citizens' Oversight Committee finds that the District's expenditures from Measure R bond funds was in compliance with Measure R.
- The Citizens' Oversight Committee finds that the District delivered good value to the taxpayers with regard to the costs and benefits of the projects funded by Measure R bond funds.
- The Citizens' Oversight Committee finds that there were no irregularities regarding the bond monies (bond issuance, expenditures, audits).

## **Background**

On November 4, 2008 voters in the Oak Park Unified School District (the "District") authorized \$29,445,000 in general obligation bonds for school projects as listed in the 2008 Bond Resolution Project List (included in the ballot measure passed by the voters). Specific construction and modernization projects include repairing, renovating and improving aging facilities; repairing water damage and failing roofs; removing hazardous materials; making schools earthquake safe; replacing outdated fire and security systems; and improving classrooms to meet modern safety and instructional standards.

Measure R is also referred to as the "School Improvement Bond of 2008". Measure R was approved by at least 55% of the voters of Oak Park pursuant to the provisions of the Strict Accountability in Local School Construction Bonds Act of 2000, codified under Sections

15264 et seq. of the Educational Code (Proposition 39). The Act required that the school district Board of Trustees (the "Board") appoint a Citizens' Oversight Committee (the "COC" or "Committee") after the successful bond election.

The COC is required by state law to actively review and report on the proper expenditure of the taxpayers' money. The COC provides oversight and advises the public whether the District is spending the Measure R bond funds for school improvements within the scope of projects outlined in the Measure R project list.

## **Committee Purpose**

The committee is charged by statute with the following purposes:

1. To promptly alert the public to any waste or improper expenditure of school construction bond money.
2. To inform the public concerning the expenditure of bond revenues.
3. To ensure that bond revenues are expended only for the purposes described in the California Constitution; that is, for the construction, reconstruction, rehabilitation, or replacement of school facilities, including the furnishing and equipping of school facilities, or the acquisition or lease of real property for school facilities.
4. To ensure that no funds are used for any teacher or administrative salaries or other school operating expenses.

### **Committee Jurisdiction and Authorized Activities**

In furtherance of its purposes, The Committee is authorized by statute to engage in the following activities:

1. Receive and review the annual independent performance audit required by the California Constitution.
2. Receive and review the annual independent financial audit required by the California Constitution.
3. Inspect 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.
4. Review efforts by the District to maximize the impact of bond expenditures by implementing cost-saving measures, including, but not limited to, all of the following mechanisms:
  - a. Mechanisms designed to reduce the costs of professional fees.
  - b. Mechanisms designed to reduce the costs of site preparation.
  - c. Recommendations regarding the joint use of core facilities.
  - d. Mechanisms designed to reduce costs by incorporating efficiencies in school design.
  - e. Recommendations regarding the use of cost-effective and efficient reusable facility plans.

It is also important to note that the Committee does not perform certain functions such as: participate in the District's actual bond sale and issuance process nor participate in the bid process for contractors or consultants (Proposition 39 Roles and Responsibilities, III. I.). It is within these parameters that the Committee performed its functions during the period from August, 2017 through May, 2018.

### **Audits**

Proposition 39 requires that the sponsoring school district of an approved measure conduct an annual independent performance audit to ensure that the bond funds have been expended only on the specific projects included on the list of projects the district was required to provide when Measure R was presented to the voters.

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Proposition 39 also requires that the school district conduct an annual independent financial audit of the proceeds from the sales of the bonds until all the proceeds have been expended for the school facilities projects.

The annual audits of OPUSD Measure R bond expenditures for the fiscal year ended June 30, 2018 were conducted by Christy White Accountancy Corporation (CWA), an independent auditing firm. CWA tested approximately \$439,793 or 57% of the 2017-2018 expenditures included payments made to contractors, consultants and other vendors for "validity, allow-ability and accuracy". CWA reported that they found the expenditures and transactions tested to be in compliance with the terms of the Measure R Ballot measure, the facilities master plan, and applicable state laws and regulations without exception.

Note that the Committee is reporting on calendar year 2018, of which only the period Jan 1, 2018–June 30, 2018 is addressed in the CWA audit reports. The Committee relied on unaudited district financial statements for the period July 1, 2018–December 31, 2018 in fulfilling its oversight obligations.

### **Committee Activities**

In order to fulfill the committee's purpose as described above, the OPCOC engaged in the following activities:

- The Oak Park Unified School District's Citizens' Oversight Committee met on January 28, 2019 and February 25, 2019, March 25, 2019 and April 29, 2019.
- The committee members met with CWA to review the audit findings for the fiscal year ending June 30, 2018. Both the financial audit and the performance audit were reviewed.
- To understand the expenditures for the unaudited period from July 1, 2018 to December 31, 2018 the committee reviewed Bond Proceeds and Expenditures through December 31, 2018.

### **Committee Findings**

1. The OPCOC did not find instances of waste or improper expenditures.
2. The Committee found no instances of expenditures other than for the purposes set forth in the bond measure.
3. According to the most recent version of the Measure R master plan, total projected expenditures during calendar 2018 totaled to approximately \$610,170. The majority of the work in 2018 centered around performing arts improvements, JV softball field, AM/PM building and OPIS roof.

As of December 31, 2018, the total inception to date expenditures for Measure R was \$29,924,825.

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On December 31, 2018 the remaining fund balance for Measure R was \$17,133.34. The balance will not be rolled into Measure S but rather expended via Measure R. It is expected that these funds will be expended by December 31, 2019.

**Respectfully submitted,**  
**OAK PARK CITIZENS' OVERSIGHT COMMITTEE**  
Grant Meikle, Committee Chair

**Citizens' Bond Oversight Committee Members**

Ty Avendano  
Audrey Israel  
Grant Meikle  
Durga Naga Lakshmi Kosaraju  
Michael Schneider  
Marc Shapiro  
Bing Xu Liu  
Bing Xu Liu

# Oak Park Citizens' Oversight Committee 2018 Measure S Annual Report May 2019

## Summary

- The District's auditor reported that the District spent \$3,922,533 of Measure S bond funds on construction and modernization projects, include providing classrooms and labs for career and technology education classes, repairing or replacing facilities including roofs, plumbing, electrical and air conditioning systems; and upgrading instructional technology in classrooms during the *fiscal* year July 1, 2017 through June 30, 2018.
- The District's auditor found that the District's expenditures from, and accounting for, Measure S bond funds was in compliance with Generally Accepted Accounting Principles and the relevant statutes and regulations.
- The District reported to the Citizens' Oversight Committee that projected spending for Measure S bond funds on construction and modernization projects, include providing classrooms and labs for career and technology education classes, repairing or replacing facilities including roofs, plumbing, electrical and air conditioning systems; and upgrading instructional technology in classrooms during *calendar* year 2018 was \$5,284,897.
- The Citizens' Oversight Committee finds that the District's expenditures from Measure S bond funds was in compliance with the Measure S bond resolution project list included in the ballot measure passed by the voters.
- The Citizens' Oversight Committee finds that the District delivered good value to the taxpayers with regard to the costs and benefits of the projects funded by Measure S bond funds.
- The Citizens' Oversight Committee finds that there were no irregularities regarding the bond monies (bond issuance, expenditures, audits).

## Background

On November 8, 2016 voters in the Oak Park Unified School District (the "District") authorized \$60,000,000 in general obligation bonds for school projects as listed in the 2016 bond resolution project list included in the ballot measure passed by the voters. Specific construction and modernization projects include providing classrooms and labs for career and technology education classes, repairing or replacing facilities including roofs, plumbing, electrical and air conditioning systems; and upgrading instructional technology in the classroom.

Measure S is also referred to as the "Facility Improvement, Technology and Equipment Bond". Measure S was approved by at least 55% of the voters of Oak Park pursuant to the provisions of the Strict Accountability in Local School Construction Bonds Act of 2000, codified under Sections 15264 et seq. of the Educational Code (Proposition 39). The Act required that the school district Board of Trustees (the "Board") appoint a Citizens' Oversight Committee (the "COC" or "Committee") after the successful bond election.

The COC is required by state law to actively review and report on the proper expenditure of the taxpayers' money. The COC provides oversight and advises the public whether the District is spending Measure S bond funds for improvements within the scope of projects outlined in the Measure S project list.

## Committee Purpose

**Oak Park Citizens' Oversight Committee**  
**2018 Measure S Annual Report**  
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The committee is charged by statute with the following purposes:

1. To promptly alert the public to any waste or improper expenditure of school construction bond money.
2. To inform the public concerning the expenditure of bond revenues.
3. To ensure that bond revenues are expended only for the purposes described in the California Constitution; that is, for the construction, reconstruction, rehabilitation, or replacement of school facilities, including the furnishing and equipping of school facilities, or the acquisition or lease of real property for school facilities.
4. To ensure that no funds are used for any teacher or administrative salaries or other school operating expenses.

**Committee Jurisdiction and Authorized Activities**

In furtherance of its purposes, the Committee is authorized by statute to engage in the following activities:

1. Receive and review the annual independent performance audit required by the California Constitution.
2. Receive and review the annual independent financial audit required by the California Constitution.
3. Inspect 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.
4. Review efforts by the District to maximize the impact of bond expenditures by implementing cost-saving measures, including, but not limited to, all of the following mechanisms:
  - a. Mechanisms designed to reduce the costs of professional fees.
  - b. Mechanisms designed to reduce the costs of site preparation.
  - c. Recommendations regarding the joint use of core facilities.
  - d. Mechanisms designed to reduce costs by incorporating efficiencies in school design.
  - e. Recommendations regarding the use of cost-effective and efficient reusable facility plans.

It is also important to note that the Committee does not perform certain functions such as: participate in the District's actual bond sale and issuance process nor participate in the bid process for contractors or consultants (Proposition 39 Roles and Responsibilities, III. I.). It is within these parameters that the Committee performed its functions during the period from January, 2019 through May, 2019.

**Audits**

Proposition 39 requires that the sponsoring school district of an approved measure conduct an annual independent performance audit to ensure that the bond funds have been expended only on

**Oak Park Citizens' Oversight Committee**  
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**May 2019**  
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the specific projects included on the list of projects the district was required to provide when Measure S was presented to the voters.

Proposition 39 also requires that the school district conduct an annual independent financial audit of the proceeds from the sales of the bonds until all the proceeds have been expended for the school facilities projects.

The annual audits of OPUSD Measure S bond expenditures for the fiscal year ended June 30, 2018 were conducted by Christy White Accountancy Corporation (CWA), an independent auditing firm. The report is dated January 4, 2019. CWA tested approximately \$2.1 million or 55% of the 2017-18 expenditures included payments made to contractors, consultants and other vendors for "validity, allow-ability and accuracy". CWA reported that they found the expenditures and transactions tested to be in compliance with the terms of the Measure S Ballot measure, the facilities master plan, and applicable state laws and regulations without exception.

Additionally, CWA performed testing on contract and bid procedures. For the fiscal year ended June 30, 2018, all project projects, purchases, and acquisitions for Bond Measure S were found compliant with applicable law.

Note that the Committee is reporting on calendar year 2018, of which only the period Jan 1, 2018–June 30, 2018 is addressed in the CWA audit report. The Committee relied on unaudited district financial statements for the period July 1, 2018–December 31, 2018 in fulfilling its oversight obligations.

### **Committee Activities**

In order to fulfill the committee's purpose as described above, the OPCOC engaged in the following activities:

- The Oak Park Unified School District's Citizens' Oversight Committee met on January 28, 2019, February 25, 2019, March 25, 2019, and April 29, 2019.
- The committee members met with CWA to review the audit findings for the fiscal year ending June 30, 2018. Both the financial audit and the performance audit were reviewed.
- To understand the expenditures for the unaudited period from July 1, 2018 to December 31, 2018 the committee reviewed Bond Proceeds and Expenditures through December 31, 2018.

### **Citizens' Oversight Committee Findings**

1. The OPCOC did not find instances of waste or improper expenditures.
2. The Committee found no instances of expenditures other than for the purposes set forth in the bond measure.
3. The District reported that projected spending for Measure S bond funds during *calendar year* 2018 was \$5,284,897. This included concept and design for upcoming classroom replacements, extensive kitchen remodel and required ADA compliance (including adjacent

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bathroom and locker room) at MCMS, Salary/Compensation for Director of Education Technology and Information Systems, Salary/Compensation for Bond Construction Manager and Secretary.

As of December 31, 2018, the total inception to date expenditures for Measure S were \$13,862,147. Of this amount, bond-related administrative and construction management salaries and benefits were \$659,643 or 4.7% of total expenses, and total construction management fees were \$1,262,128 or 9.1%.

On December 31, 2018 the fund balance for Measure S was \$18,167,011. It is expected that these funds will be expended in accordance with the Board-approved Measure S Master Plan.

**Respectfully submitted,**  
**OAK PARK CITIZENS' OVERSIGHT COMMITTEE**  
Grant Meikle, Committee Chair

**Citizens' Bond Oversight Committee Members**

Ty Avendano  
Audrey Israel  
Grant Meikle  
Durga Naga Lakshmi Kosaraju  
Michael Schneider  
Marc Shapiro  
Bing Xu Liu



# Rosenberg's Rules of Order

REVISED 2011

*Simple Rules of Parliamentary Procedure for the 21st Century*

*By Judge Dave Rosenberg*



## MISSION AND CORE BELIEFS

To expand and protect local control for cities through education and advocacy to enhance the quality of life for all Californians.

## VISION

To be recognized and respected as the leading advocate for the common interests of California's cities.

### **About the League of California Cities**

Established in 1898, the League of California Cities is a member organization that represents California's incorporated cities. The League strives to protect the local authority and autonomy of city government and help California's cities effectively serve their residents. In addition to advocating on cities' behalf at the state capitol, the League provides its members with professional development programs and information resources, conducts education conferences and research, and publishes Western City magazine.

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### **ABOUT THE AUTHOR**

Dave Rosenberg is a Superior Court Judge in Yolo County. He has served as presiding judge of his court, and as presiding judge of the Superior Court Appellate Division. He also has served as chair of the Trial Court Presiding Judges Advisory Committee (the committee composed of all 58 California presiding judges) and as an advisory member of the California Judicial Council. Prior to his appointment to the bench, Rosenberg was member of the Yolo County Board of Supervisors, where he served two terms as chair. Rosenberg also served on the Davis City Council, including two terms as mayor. He has served on the senior staff of two governors, and worked for 19 years in private law practice. Rosenberg has served as a member and chair of numerous state, regional and local boards. Rosenberg chaired the California State Lottery Commission, the California Victim Compensation and Government Claims Board, the Yolo-Solano Air Quality Management District, the Yolo County Economic Development Commission, and the Yolo County Criminal Justice Cabinet. For many years, he has taught classes on parliamentary procedure and has served as parliamentarian for large and small bodies.



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## INTRODUCTION

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The rules of procedure at meetings should be simple enough for most people to understand. Unfortunately, that has not always been the case. Virtually all clubs, associations, boards, councils and bodies follow a set of rules — *Robert's Rules of Order* — which are embodied in a small, but complex, book. Virtually no one I know has actually read this book cover to cover. Worse yet, the book was written for another time and for another purpose. If one is chairing or running a parliament, then *Robert's Rules of Order* is a dandy and quite useful handbook for procedure in that complex setting. On the other hand, if one is running a meeting of say, a five-member body with a few members of the public in attendance, a simplified version of the rules of parliamentary procedure is in order.

Hence, the birth of *Rosenberg's Rules of Order*.

What follows is my version of the rules of parliamentary procedure, based on my decades of experience chairing meetings in state and local government. These rules have been simplified for the smaller bodies we chair or in which we participate, slimmed down for the 21st Century, yet retaining the basic tenets of order to which we have grown accustomed. Interestingly enough, *Rosenberg's Rules* has found a welcoming audience. Hundreds of cities, counties, special districts, committees, boards, commissions, neighborhood associations and private corporations and companies have adopted *Rosenberg's Rules* in lieu of *Robert's Rules* because they have found them practical, logical, simple, easy to learn and user friendly.

This treatise on modern parliamentary procedure is built on a foundation supported by the following four pillars:

1. **Rules should establish order.** The first purpose of rules of parliamentary procedure is to establish a framework for the orderly conduct of meetings.
2. **Rules should be clear.** Simple rules lead to wider understanding and participation. Complex rules create two classes: those who understand and participate; and those who do not fully understand and do not fully participate.
3. **Rules should be user friendly.** That is, the rules must be simple enough that the public is invited into the body and feels that it has participated in the process.
4. **Rules should enforce the will of the majority while protecting the rights of the minority.** The ultimate purpose of rules of procedure is to encourage discussion and to facilitate decision making by the body. In a democracy, majority rules. The rules must enable the majority to express itself and fashion a result, while permitting the minority to also express itself, but not dominate, while fully participating in the process.

### Establishing a Quorum

The starting point for a meeting is the establishment of a quorum. A quorum is defined as the minimum number of members of the body who must be present at a meeting for business to be legally transacted. The default rule is that a quorum is one more than half the body. For example, in a five-member body a quorum is three. When the body has three members present, it can legally transact business. If the body has less than a quorum of members present, it cannot legally transact business. And even if the body has a quorum to begin the meeting, the body can lose the quorum during the meeting when a member departs (or even when a member leaves the dais). When that occurs the body loses its ability to transact business until and unless a quorum is reestablished.

The default rule, identified above, however, gives way to a specific rule of the body that establishes a quorum. For example, the rules of a particular five-member body may indicate that a quorum is four members for that particular body. The body must follow the rules it has established for its quorum. In the absence of such a specific rule, the quorum is one more than half the members of the body.

### The Role of the Chair

While all members of the body should know and understand the rules of parliamentary procedure, it is the chair of the body who is charged with applying the rules of conduct of the meeting. The chair should be well versed in those rules. For all intents and purposes, the chair makes the final ruling on the rules every time the chair states an action. In fact, all decisions by the chair are final unless overruled by the body itself.

Since the chair runs the conduct of the meeting, it is usual courtesy for the chair to play a less active role in the debate and discussion than other members of the body. This does not mean that the chair should not participate in the debate or discussion. To the contrary, as a member of the body, the chair has the full right to participate in the debate, discussion and decision-making of the body. What the chair should do, however, is strive to be the last to speak at the discussion and debate stage. The chair should not make or second a motion unless the chair is convinced that no other member of the body will do so at that point in time.

### The Basic Format for an Agenda Item Discussion

Formal meetings normally have a written, often published agenda. Informal meetings may have only an oral or understood agenda. In either case, the meeting is governed by the agenda and the agenda constitutes the body's agreed-upon roadmap for the meeting. Each agenda item can be handled by the chair in the following basic format:

**First**, the chair should clearly announce the agenda item number and should clearly state what the agenda item subject is. The chair should then announce the format (which follows) that will be followed in considering the agenda item.

**Second**, following that agenda format, the chair should invite the appropriate person or persons to report on the item, including any recommendation that they might have. The appropriate person or persons may be the chair, a member of the body, a staff person, or a committee chair charged with providing input on the agenda item.

**Third**, the chair should ask members of the body if they have any technical questions of clarification. At this point, members of the body may ask clarifying questions to the person or persons who reported on the item, and that person or persons should be given time to respond.

**Fourth**, the chair should invite public comments, or if appropriate at a formal meeting, should open the public meeting for public input. If numerous members of the public indicate a desire to speak to the subject, the chair may limit the time of public speakers. At the conclusion of the public comments, the chair should announce that public input has concluded (or the public hearing, as the case may be, is closed).

**Fifth**, the chair should invite a motion. The chair should announce the name of the member of the body who makes the motion.

**Sixth**, the chair should determine if any member of the body wishes to second the motion. The chair should announce the name of the member of the body who seconds the motion. It is normally good practice for a motion to require a second before proceeding to ensure that it is not just one member of the body who is interested in a particular approach. However, a second is not an absolute requirement, and the chair can proceed with consideration and vote on a motion even when there is no second. This is a matter left to the discretion of the chair.

**Seventh**, if the motion is made and seconded, the chair should make sure everyone understands the motion.

This is done in one of three ways:

1. The chair can ask the maker of the motion to repeat it;
2. The chair can repeat the motion; or
3. The chair can ask the secretary or the clerk of the body to repeat the motion.

**Eighth**, the chair should now invite discussion of the motion by the body. If there is no desired discussion, or after the discussion has ended, the chair should announce that the body will vote on the motion. If there has been no discussion or very brief discussion, then the vote on the motion should proceed immediately and there is no need to repeat the motion. If there has been substantial discussion, then it is normally best to make sure everyone understands the motion by repeating it.

**Ninth**, the chair takes a vote. Simply asking for the “ayes” and then asking for the “nays” normally does this. If members of the body do not vote, then they “abstain.” Unless the rules of the body provide otherwise (or unless a super majority is required as delineated later in these rules), then a simple majority (as defined in law or the rules of the body as delineated later in these rules) determines whether the motion passes or is defeated.

**Tenth**, the chair should announce the result of the vote and what action (if any) the body has taken. In announcing the result, the chair should indicate the names of the members of the body, if any, who voted in the minority on the motion. This announcement might take the following form: “The motion passes by a vote of 3-2, with Smith and Jones dissenting. We have passed the motion requiring a 10-day notice for all future meetings of this body.”

## Motions in General

Motions are the vehicles for decision making by a body. It is usually best to have a motion before the body prior to commencing discussion of an agenda item. This helps the body focus.

Motions are made in a simple two-step process. First, the chair should recognize the member of the body. Second, the member of the body makes a motion by preceding the member’s desired approach with the words “I move . . .”

A typical motion might be: “I move that we give a 10-day notice in the future for all our meetings.”

The chair usually initiates the motion in one of three ways:

1. **Inviting the members of the body to make a motion**, for example, “A motion at this time would be in order.”
2. **Suggesting a motion to the members of the body**, “A motion would be in order that we give a 10-day notice in the future for all our meetings.”
3. **Making the motion**. As noted, the chair has every right as a member of the body to make a motion, but should normally do so only if the chair wishes to make a motion on an item but is convinced that no other member of the body is willing to step forward to do so at a particular time.

## The Three Basic Motions

There are three motions that are the most common and recur often at meetings:

**The basic motion.** The basic motion is the one that puts forward a decision for the body’s consideration. A basic motion might be: “I move that we create a five-member committee to plan and put on our annual fundraiser.”

**The motion to amend.** If a member wants to change a basic motion that is before the body, they would move to amend it. A motion to amend might be: “I move that we amend the motion to have a 10-member committee.” A motion to amend takes the basic motion that is before the body and seeks to change it in some way.

**The substitute motion.** If a member wants to completely do away with the basic motion that is before the body, and put a new motion before the body, they would move a substitute motion. A substitute motion might be: “I move a substitute motion that we cancel the annual fundraiser this year.”

“Motions to amend” and “substitute motions” are often confused, but they are quite different, and their effect (if passed) is quite different. A motion to amend seeks to retain the basic motion on the floor, but modify it in some way. A substitute motion seeks to throw out the basic motion on the floor, and substitute a new and different motion for it. The decision as to whether a motion is really a “motion to amend” or a “substitute motion” is left to the chair. So if a member makes what that member calls a “motion to amend,” but the chair determines that it is really a “substitute motion,” then the chair’s designation governs.

A “friendly amendment” is a practical parliamentary tool that is simple, informal, saves time and avoids bogging a meeting down with numerous formal motions. It works in the following way: In the discussion on a pending motion, it may appear that a change to the motion is desirable or may win support for the motion from some members. When that happens, a member who has the floor may simply say, “I want to suggest a friendly amendment to the motion.” The member suggests the friendly amendment, and if the maker and the person who seconded the motion pending on the floor accepts the friendly amendment, that now becomes the pending motion on the floor. If either the maker or the person who seconded rejects the proposed friendly amendment, then the proposer can formally move to amend.

### Multiple Motions Before the Body

There can be up to three motions on the floor at the same time. The chair can reject a fourth motion until the chair has dealt with the three that are on the floor and has resolved them. This rule has practical value. More than three motions on the floor at any given time is confusing and unwieldy for almost everyone, including the chair.

When there are two or three motions on the floor (after motions and seconds) at the same time, the vote should proceed *first* on the *last* motion that is made. For example, assume the first motion is a basic “motion to have a five-member committee to plan and put on our annual fundraiser.” During the discussion of this motion, a member might make a second motion to “amend the main motion to have a 10-member committee, not a five-member committee to plan and put on our annual fundraiser.” And perhaps, during that discussion, a member makes yet a third motion as a “substitute motion that we not have an annual fundraiser this year.” The proper procedure would be as follows:

**First**, the chair would deal with the *third* (the last) motion on the floor, the substitute motion. After discussion and debate, a vote would be taken first on the third motion. If the substitute motion *passed*, it would be a substitute for the basic motion and would eliminate it. The first motion would be moot, as would the second motion (which sought to amend the first motion), and the action on the agenda item would be completed on the passage by the body of the third motion (the substitute motion). No vote would be taken on the first or second motions.

**Second**, if the substitute motion *failed*, the chair would then deal with the second (now the last) motion on the floor, the motion to amend. The discussion and debate would focus strictly on the amendment (should the committee be five or 10 members). If the motion to amend *passed*, the chair would then move to consider the main motion (the first motion) as *amended*. If the motion to amend *failed*, the chair would then move to consider the main motion (the first motion) in its original format, not amended.

**Third**, the chair would now deal with the first motion that was placed on the floor. The original motion would either be in its original format (five-member committee), or if *amended*, would be in its amended format (10-member committee). The question on the floor for discussion and decision would be whether a committee should plan and put on the annual fundraiser.

### To Debate or Not to Debate

The basic rule of motions is that they are subject to discussion and debate. Accordingly, basic motions, motions to amend, and substitute motions are all eligible, each in their turn, for full discussion before and by the body. The debate can continue as long as members of the body wish to discuss an item, subject to the decision of the chair that it is time to move on and take action.

There are exceptions to the general rule of free and open debate on motions. The exceptions all apply when there is a desire of the body to move on. The following motions are not debatable (that is, when the following motions are made and seconded, the chair must immediately call for a vote of the body without debate on the motion):

**Motion to adjourn.** This motion, if passed, requires the body to immediately adjourn to its next regularly scheduled meeting. It requires a simple majority vote.

**Motion to recess.** This motion, if passed, requires the body to immediately take a recess. Normally, the chair determines the length of the recess which may be a few minutes or an hour. It requires a simple majority vote.

**Motion to fix the time to adjourn.** This motion, if passed, requires the body to adjourn the meeting at the specific time set in the motion. For example, the motion might be: “I move we adjourn this meeting at midnight.” It requires a simple majority vote.

**Motion to table.** This motion, if passed, requires discussion of the agenda item to be halted and the agenda item to be placed on “hold.” The motion can contain a specific time in which the item can come back to the body. “I move we table this item until our regular meeting in October.” Or the motion can contain no specific time for the return of the item, in which case a motion to take the item off the table and bring it back to the body will have to be taken at a future meeting. A motion to table an item (or to bring it back to the body) requires a simple majority vote.

**Motion to limit debate.** The most common form of this motion is to say, “I move the previous question” or “I move the question” or “I call the question” or sometimes someone simply shouts out “question.” As a practical matter, when a member calls out one of these phrases, the chair can expedite matters by treating it as a “request” rather than as a formal motion. The chair can simply inquire of the body, “any further discussion?” If no one wishes to have further discussion, then the chair can go right to the pending motion that is on the floor. However, if even one person wishes to discuss the pending motion further, then at that point, the chair should treat the call for the “question” as a formal motion, and proceed to it.

When a member of the body makes such a motion (“I move the previous question”), the member is really saying: “I’ve had enough debate. Let’s get on with the vote.” When such a motion is made, the chair should ask for a second, stop debate, and vote on the motion to limit debate. The motion to limit debate requires a two-thirds vote of the body.

**NOTE:** A motion to limit debate could include a time limit. For example: “I move we limit debate on this agenda item to 15 minutes.” Even in this format, the motion to limit debate requires a two-thirds vote of the body. A similar motion is a *motion to object to consideration of an item*. This motion is not debatable, and if passed, precludes the body from even considering an item on the agenda. It also requires a two-thirds vote.

## Majority and Super Majority Votes

In a democracy, a simple majority vote determines a question. A tie vote means the motion fails. So in a seven-member body, a vote of 4-3 passes the motion. A vote of 3-3 with one abstention means the motion fails. If one member is absent and the vote is 3-3, the motion still fails.

All motions require a simple majority, but there are a few exceptions. The exceptions come up when the body is taking an action which effectively cuts off the ability of a minority of the body to take an action or discuss an item. These extraordinary motions require a two-thirds majority (a super majority) to pass:

**Motion to limit debate.** Whether a member says, “I move the previous question,” or “I move the question,” or “I call the question,” or “I move to limit debate,” it all amounts to an attempt to cut off the ability of the minority to discuss an item, and it requires a two-thirds vote to pass.

**Motion to close nominations.** When choosing officers of the body (such as the chair), nominations are in order either from a nominating committee or from the floor of the body. A motion to close nominations effectively cuts off the right of the minority to nominate officers and it requires a two-thirds vote to pass.

**Motion to object to the consideration of a question.** Normally, such a motion is unnecessary since the objectionable item can be tabled or defeated straight up. However, when members of a body do not even want an item on the agenda to be considered, then such a motion is in order. It is not debatable, and it requires a two-thirds vote to pass.

**Motion to suspend the rules.** This motion is debatable, but requires a two-thirds vote to pass. If the body has its own rules of order, conduct or procedure, this motion allows the body to suspend the rules for a particular purpose. For example, the body (a private club) might have a rule prohibiting the attendance at meetings by non-club members. A motion to suspend the rules would be in order to allow a non-club member to attend a meeting of the club on a particular date or on a particular agenda item.

## Counting Votes

The matter of counting votes starts simple, but can become complicated.

Usually, it’s pretty easy to determine whether a particular motion passed or whether it was defeated. If a simple majority vote is needed to pass a motion, then one vote more than 50 percent of the body is required. For example, in a five-member body, if the vote is three in favor and two opposed, the motion passes. If it is two in favor and three opposed, the motion is defeated.

If a two-thirds majority vote is needed to pass a motion, then how many affirmative votes are required? The simple rule of thumb is to count the “no” votes and double that count to determine how many “yes” votes are needed to pass a particular motion. For example, in a seven-member body, if two members vote “no” then the “yes” vote of at least four members is required to achieve a two-thirds majority vote to pass the motion.

What about tie votes? In the event of a tie, the motion always fails since an affirmative vote is required to pass any motion. For example, in a five-member body, if the vote is two in favor and two opposed, with one member absent, the motion is defeated.

Vote counting starts to become complicated when members vote “abstain” or in the case of a written ballot, cast a blank (or unreadable) ballot. Do these votes count, and if so, how does one count them? The starting point is always to check the statutes.

In California, for example, for an action of a board of supervisors to be valid and binding, the action must be approved by a majority of the board. (California Government Code Section 25005.) Typically, this means three of the five members of the board must vote affirmatively in favor of the action. A vote of 2-1 would not be sufficient. A vote of 3-0 with two abstentions would be sufficient. In general law cities in



California, as another example, resolutions or orders for the payment of money and all ordinances require a recorded vote of the total members of the city council. (California Government Code Section 36936.) Cities with charters may prescribe their own vote requirements. Local elected officials are always well-advised to consult with their local agency counsel on how state law may affect the vote count.

After consulting state statutes, step number two is to check the rules of the body. If the rules of the body say that you count votes of “those present” then you treat abstentions one way. However, if the rules of the body say that you count the votes of those “present and voting,” then you treat abstentions a different way. And if the rules of the body are silent on the subject, then the general rule of thumb (and default rule) is that you count all votes that are “present and voting.”

Accordingly, under the “present and voting” system, you would **NOT** count abstention votes on the motion. Members who abstain are counted for purposes of determining quorum (they are “present”), but you treat the abstention votes on the motion as if they did not exist (they are not “voting”). On the other hand, if the rules of the body specifically say that you count votes of those “present” then you **DO** count abstention votes both in establishing the quorum and on the motion. In this event, the abstention votes act just like “no” votes.

*How does this work in practice?*

*Here are a few examples.*

Assume that a five-member city council is voting on a motion that requires a simple majority vote to pass, and assume further that the body has no specific rule on counting votes. Accordingly, the default rule kicks in and we count all votes of members that are “present and voting.” If the vote on the motion is 3-2, the motion passes. If the motion is 2-2 with one abstention, the motion fails.

Assume a five-member city council voting on a motion that requires a two-thirds majority vote to pass, and further assume that the body has no specific rule on counting votes. Again, the default rule applies. If the vote is 3-2, the motion fails for lack of a two-thirds majority. If the vote is 4-1, the motion passes with a clear two-thirds majority. A vote of three “yes,” one “no” and one “abstain” also results in passage of the motion. Once again, the abstention is counted only for the purpose of determining quorum, but on the actual vote on the motion, it is as if the abstention vote never existed — so an effective 3-1 vote is clearly a two-thirds majority vote.

Now, change the scenario slightly. Assume the same five-member city council voting on a motion that requires a two-thirds majority vote to pass, but now assume that the body **DOES** have a specific rule requiring a two-thirds vote of members “present.” Under this specific rule, we must count the members present not only for quorum but also for the motion. In this scenario, any abstention has the same force and effect as if it were a “no” vote. Accordingly, if the votes were three “yes,” one “no” and one “abstain,” then the motion fails. The abstention in this case is treated like a “no” vote and effective vote of 3-2 is not enough to pass two-thirds majority muster.

Now, exactly how does a member cast an “abstention” vote?

Any time a member votes “abstain” or says, “I abstain,” that is an abstention. However, if a member votes “present” that is also treated as an abstention (the member is essentially saying, “Count me for purposes of a quorum, but my vote on the issue is abstain.”) In fact, any manifestation of intention not to vote either “yes” or “no” on the pending motion may be treated by the chair as an abstention. If written ballots are cast, a blank or unreadable ballot is counted as an abstention as well.

Can a member vote “absent” or “count me as absent?” Interesting question. The ruling on this is up to the chair. The better approach is for the chair to count this as if the member had left his/her chair and is actually “absent.” That, of course, affects the quorum. However, the chair may also treat this as a vote to abstain, particularly if the person does not actually leave the dais.

## The Motion to Reconsider

There is a special and unique motion that requires a bit of explanation all by itself; the motion to reconsider. A tenet of parliamentary procedure is finality. After vigorous discussion, debate and a vote, there must be some closure to the issue. And so, after a vote is taken, the matter is deemed closed, subject only to reopening if a proper motion to consider is made and passed.

A motion to reconsider requires a majority vote to pass like other garden-variety motions, but there are two special rules that apply only to the motion to reconsider.

First, is the matter of timing. A motion to reconsider must be made at the meeting where the item was first voted upon. A motion to reconsider made at a later time is untimely. (The body, however, can always vote to suspend the rules and, by a two-thirds majority, allow a motion to reconsider to be made at another time.)

Second, a motion to reconsider may be made only by certain members of the body. Accordingly, a motion to reconsider may be made only by a member who voted in the majority on the original motion. If such a member has a change of heart, he or she may make the motion to reconsider (any other member of the body — including a member who voted in the minority on the original motion — may second the motion). If a member who voted in the minority seeks to make the motion to reconsider, it must be ruled out of order. The purpose of this rule is finality. If a member of minority could make a motion to reconsider, then the item could be brought back to the body again and again, which would defeat the purpose of finality.

If the motion to reconsider passes, then the original matter is back before the body, and a new original motion is in order. The matter may be discussed and debated as if it were on the floor for the first time.

## Courtesy and Decorum

The rules of order are meant to create an atmosphere where the members of the body and the members of the public can attend to business efficiently, fairly and with full participation. At the same time, it is up to the chair and the members of the body to maintain common courtesy and decorum. Unless the setting is very informal, it is always best for only one person at a time to have the floor, and it is always best for every speaker to be first recognized by the chair before proceeding to speak.

The chair should always ensure that debate and discussion of an agenda item focuses on the item and the policy in question, not the personalities of the members of the body. Debate on policy is healthy, debate on personalities is not. The chair has the right to cut off discussion that is too personal, is too loud, or is too crude.

Debate and discussion should be focused, but free and open. In the interest of time, the chair may, however, limit the time allotted to speakers, including members of the body.

Can a member of the body interrupt the speaker? The general rule is “no.” There are, however, exceptions. A speaker may be interrupted for the following reasons:

**Privilege.** The proper interruption would be, “point of privilege.” The chair would then ask the interrupter to “state your point.” Appropriate points of privilege relate to anything that would interfere with the normal comfort of the meeting. For example, the room may be too hot or too cold, or a blowing fan might interfere with a person’s ability to hear.

**Order.** The proper interruption would be, “point of order.” Again, the chair would ask the interrupter to “state your point.” Appropriate points of order relate to anything that would not be considered appropriate conduct of the meeting. For example, if the chair moved on to a vote on a motion that permits debate without allowing that discussion or debate.

**Appeal.** If the chair makes a ruling that a member of the body disagrees with, that member may appeal the ruling of the chair. If the motion is seconded, and after debate, if it passes by a simple majority vote, then the ruling of the chair is deemed reversed.

**Call for orders of the day.** This is simply another way of saying, “return to the agenda.” If a member believes that the body has drifted from the agreed-upon agenda, such a call may be made. It does not require a vote, and when the chair discovers that the agenda has not been followed, the chair simply reminds the body to return to the agenda item properly before them. If the chair fails to do so, the chair’s determination may be appealed.

**Withdraw a motion.** During debate and discussion of a motion, the maker of the motion on the floor, at any time, may interrupt a speaker to withdraw his or her motion from the floor. The motion is immediately deemed withdrawn, although the chair may ask the person who seconded the motion if he or she wishes to make the motion, and any other member may make the motion if properly recognized.

## Special Notes About Public Input

The rules outlined above will help make meetings very public-friendly. But in addition, and particularly for the chair, it is wise to remember three special rules that apply to each agenda item:

**Rule One:** Tell the public what the body will be doing.

**Rule Two:** Keep the public informed while the body is doing it.

**Rule Three:** When the body has acted, tell the public what the body did.



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