

**DEL MAR UNION SCHOOL DISTRICT
CITIZENS' OVERSIGHT COMMITTEE
(MEASURE MM)**

**ORGANIZATIONAL MATTERS FOR CONSIDERATION BY
CITIZENS' OVERSIGHT COMMITTEE**

Citizens' Oversight Committee Officers:

The Del Mar Union School District ("District") Citizens' Oversight Committee ("COC") currently consists of seven (7) initially appointed members and having as its principal purpose the responsibility to inform the public concerning the expenditure of Measure MM bond revenues by the District.

The COC will be considered a public body and is obligated by State law to conduct its meetings in conformance of the requirements of the Ralph M. Brown Act ("Brown Act"-California's local public agency open meeting law).

The statutes providing for the creation of Citizens' Oversight Committees resulting from successful general obligation bond elections conducted under the provisions of Proposition 39 and related legislation do not specifically mandate that a COC must have any particular officer or officers. However, in conducting its business and arranging for parliamentary procedures to be considered by the COC members, we would offer the following suggestions for establishing offices of the COC:

A. President/Chairperson/Chief Executive Officer. The person appointed to this office would call to order and chair meetings of the COC and generally conduct proceedings before the COC. The COC may also wish to designate this person as the principal source of contact for questions between individual COC members and members of District staff. This person may also have authority to determine a quorum of the COC (see discussion below), call for special meetings under the Brown Act, adjourn and continue COC meetings and to appoint members of subcommittees of the COC (as may be applicable).

The exact title used (President/Chairperson/Chief Executive Officer) would be determined by the COC members through a majority vote. If this office is established, the COC should also designate/elect the COC member that will initially hold this office.

We suggest that the COC establish such an office, provide for the title of such office, designate what power or authority they wish to give to such officer and to elect one of their members as the initial officer to hold this position. They may also wish to designate the term of such office in so doing (see discussion regarding Terms of Office below).

B. Vice President/Vice Chair. This person would perform the functions of the President/Chairperson/Chief Executive Officer in such other officer's absence.

The designation of this office, and appointment of a person to fill this office, is optional, however, we suggest that the COC consider designating such an office and appointing one of their member to fill such an office to cover potential absences of the President/Chairperson/Chief Executive Officer office.

C. Clerk/Secretary. This office would be the chief administrative officer of the COC and would be responsible for executing documents and minutes on behalf of the COC and authenticating other documents and records provided or furnished by the COC to various other parties. The person holding this office may be either a member of the COC or may be a member of District staff, as the COC may determine or direct.

We suggest that the COC consider creating such an office and designating either one of their members, or a District staff member, to hold this office and fulfill such duties.

The foregoing information has been prepared by Atkinson, Andelson, Loya, Ruud & Romo, A Professional Law Corporation as an overview of the subjects discussed and should not be construed as individual legal advice. The applicability of the legal matters discussed may differ substantially in individual situations. In the event that you perceive that you are in a conflict situation, you should consult with appropriate legal counsel.