

BYLAWS OF THE CITY OF OCEANSIDE
MEASURE X CITIZENS' OVERSIGHT COMMITTEE

**ARTICLE I
THE COMMITTEE**

Section 1.1 Name of Committee

The name of the Committee shall be the "Measure X Citizens' Oversight Committee" (hereinafter referred to as "COC").

Section 1.2 Purpose

The purpose of the COC is to review and report on City compliance with the provisions of Measure X, particularly with respect to the City's accounting and expenditure of Measure X revenues. Measure X is codified in Chapter 34.6 of the Oceanside City Code. The specific duties of the COC are as follows:

- A. Public review and comment on each year's: (1) City Manager's Measure X Spending Plan (as defined in OCC Section 34.6.16.B); (2) Financial Services Department Report (as defined in OCC Section 34.6.16.A); (3) Auditor Report (as defined in OCC Section 34.6.16.C); and Annual Compliance Report as further described below.
- B. Review an annual report regarding compliance with the Measure X Spending Plan pursuant to Section 34.6.16.B and 34.6.16.D for presentation by staff to the City Council at a public meeting.
- C. Work with City staff to identify and apply "best practices" for tracking and reporting on Measure X revenues and expenditures relative to other City revenues and expenditures.
- D. Make a finding prior to any future renewal of the tax measure that, in the absence of extenuating circumstances, funds have been expended on improved infrastructure and improved public safety services consistent with the intent of Measure X.

The COC is advisory in nature, and as such shall have no authority to approve, disapprove or prevent any City action, and shall have no authority to direct the conduct of any department or employee. Final spending authority for Measure X proceeds lies solely with the City Council.

ARTICLE II MEMBERSHIP

Section 2.1 Composition

The COC shall consist of seven (7) members, all of whom shall be residents of the City and cannot be current City employees or elected/appointed officials. COC Members shall be appointed by the majority vote of the City Council in accordance with OCC Chapter 2.93. The City Manager or designee(s) shall serve as Secretary of the COC. The City Manager or designee(s) shall be an ex-officio member, and shall have no voting rights. In the event of the absence of the Secretary at any regularly scheduled or special meeting of the COC the City Manager's designee shall act as Secretary for that meeting.

Section 2.2 Terms of Membership

The term of appointment of a COC Member shall be four (4) years, with a maximum of two consecutive four year terms. Each COC Member shall hold office until expiration of the respective term and until a new member has been duly appointed. COC Members whose terms are due to expire may apply for reappointment provided they have served less than two consecutive four year terms.

The initial COC members shall be appointed no later than April 1, 2019. Initial terms shall commence upon assumption of office and shall expire on June 30, 2023. With the Measure X tax expiring on March 31, 2026, it is currently estimated that the COC dissolution shall occur on or about December 31, 2026 at which time the COC will dissolve and all terms shall cease.

Section 2.3 Termination of Membership

COC Members shall automatically terminate upon any of the following occurrences:

1. The member is no longer a resident of the City of Oceanside;
2. The expiration of the term of membership unless a successor has not been named in which case the member shall continue until such time as a successor is named;
3. Upon removal by a majority of the City Council, with or without cause;

Additionally, COC Members may terminate upon any of the following occurrences:

4. The member fails to complete the required AB 1234 Ethics Training for Local Officials within one year of taking office and thereafter every two years; or

5. The member fails to complete and submit the required financial interest disclosure forms to the City Clerk's Office by the specified due date; or,
6. The member has been absent from three (3) consecutive meetings without sufficient cause and/or without notifying the Chairperson or COC Secretary.

In the event of occurrences 4 – 6 above, the City Manager or designee, shall notify the City Council of the facts and circumstances of the COC Member's failure to comply with the requirements for membership, and shall make a recommendation to the City Council regarding removal of the COC Member.

Section 2.4 Resignation

Any COC Member may resign at any time by giving written notice to the Mayor of the City of Oceanside. Any such resignation shall be effective upon receipt or upon any date specified therein.

Section 2.5 Vacancy

When any vacancy occurs, the Mayor of the City Council shall appoint a new member to fill the unexpired portion of the term pursuant to the provisions of OCC Chapter 34.6 and Chapters 2.91 to 2.93. A mayoral appointment shall be subject to confirmation by majority vote of the City Council, including the Mayor.

ARTICLE III OFFICERS

Section 3.1 Officers

The officers of the COC shall consist of a Chairperson and Vice Chairperson.

Section 3.2 Chairperson

The Chairperson shall be elected from among the COC Membership and shall preside at all official meetings of the COC. The Chairperson shall appoint subcommittees if needed and approved by the COC, and shall represent the COC at public functions as designated by the City Council. The City Manager or designee shall work cooperatively with the Chairperson to set items for the agenda.

Section 3.3 Vice Chairperson

The Vice Chairperson shall perform the duties of the Chairperson in the absence or incapacity of the Chairperson. In the event of the resignation, death, or removal of the Chairperson, the Vice Chairperson shall become acting Chairperson for the remainder of the Chairperson's term.

In the event the Vice Chairperson is no longer able to serve in that capacity a new Vice Chairperson shall be elected from among the COC Membership to fill the remainder of the term.

In the event of the absence of the Chairperson and Vice Chairperson at any regularly scheduled or special meeting of the COC, the COC Members shall elect a COC Member to serve as Chairperson for the conduct of business at that meeting only.

Section 3.4 Additional Duties of Officers

At times, officers of the COC shall perform duties and functions at the request of the City Council or staff, incidental to the offices held by such officers.

Section 3.5 Secretary

The Secretary shall perform the following functions:

1. Keep the minutes of all official meetings of the COC, which shall be open for inspection by any member of the public.
2. Sign reports and correspondence for the COC.
3. Set meeting dates and provide an agenda to each COC Member prior to each official meeting.
4. Inform COC Members of all available data gathered by City staff pertinent to each item on said agenda.
5. Draft resolutions and correspondence as directed by the COC.
6. Inform COC Members of the time and place of any special meetings as hereinafter provided.
7. Receive and make available to the COC all correspondence addressed to said COC.

Section 3.6 Additional Duties of Members.

Each COC Member shall become informed on matters affecting the functions and duties of the COC including the provisions of Measure X and general public administration and governmental accounting practices and procedures. Each COC Member shall make every reasonable effort to attend all regularly scheduled and any duly called special meetings.

ARTICLE IV MEETINGS

Section 4.1 Regular Meetings

Regular meetings shall generally be conducted late March/early April of each year, prior to the City Council budget workshop, and in the fourth quarter of each calendar year.

Section 4.2 Special Meetings

Special meetings may be held upon call of the Chairperson or of the majority of the membership of the COC in consultation with the City Manager or designee, for the purpose of transacting any business designated in the call. Written notice for special meetings shall be provided to members of the COC by the Secretary. At such special meeting, no business other than that designated in the call should be considered. Public notice of the special meeting shall be provided as set forth in OCC Section 2.1.1.

Section 4.3 Meetings to be Open and Public

All meetings of the COC and its subcommittees shall be open and public to the extent required by the California State Brown Act. All persons shall be permitted to attend any such meetings or workshops, except as otherwise provided by law.

Section 4.4 Quorum

A majority of the COC membership shall constitute a quorum for the purpose of conducting the COC business, exercising its powers and all other purposes, but less than a majority of the COC membership may adjourn the meeting from time to time until a quorum is obtained. Unless otherwise provided in the Bylaws, an affirmative vote by a majority of members present shall be required for approval of any action brought before the COC.

Section 4.5 Attendance at Meetings and Workshops

COC Members shall be required to attend all COC meetings. A COC Member may be removed if the COC Member fails to attend two consecutive COC meetings. COC Members are required to notify the Chairperson or City Manager or designee(s) if the COC Member intends to be absent from any meeting. At each meeting, after the meeting has been called to order, the Chairperson shall report to the COC the name of any COC Member who has so notified the Chairperson or staff of the intent to be absent.

Section 4.6 Rules of Order

All business and matters before the COC shall be transacted in conformance with Chapter 2 of the Oceanside Municipal Code to the extent applicable to the business of the COC.

Section 4.7 Off-Agenda Items

No off-agenda items shall be acted upon or discussed by the COC. COC Members, staff and/or the public may announce off-agenda matters of concern within the jurisdiction of the COC. Each off-agenda matter may be referred to staff for resolution or placed on the next available COC agenda.

Section 4.8 Order of Business

The order of business shall be established by the Chairperson of the COC. Agendas shall be published and posted in compliance with applicable state and local laws and rules.

Section 4.9 Meeting Procedure – General Procedures

Final action on agenda items shall be by minute order.

Section 4.10 COC Members Subject to Council Policy and Code of Ethics

All COC Member shall be subject to the disclosure requirements set forth in City Council Policy No. 300-21.

**ARTICLE V
REPRESENTATION BEFORE PUBLIC BODIES**

Section 5.1 Representation

Any official representation on behalf of the COC before the City Council, or any public body, shall be made by the Chairperson, the Vice Chairperson in the Chairperson’s absence, or a member of the COC specifically designated by the COC.

**ARTICLE VI
MISCELLANEOUS**

Section 6.1 Procedural Situations Not Addressed

In procedural situations not addressed in the body of the COC Bylaws, the determination of the situation shall be subject to the jurisdiction of the City Attorney.