

**BYLAWS AND RULES OF PROCEDURE OF THE
MEASURE K OVERSIGHT COMMITTEE**

BACKGROUND

San Mateo County voters in November 2012 passed a half-cent sales and use tax for 10 years officially titled Measure A. This measure passed 65.4 percent (169,661 votes) to 34.6 percent (89,788 votes). The tax took effect on April 1, 2013. On November 8, 2016, San Mateo County voters approved Measure K, a 20-year extension of Measure A.

Measure A requires the appointment of “a committee to perform an annual audit of the general fund revenues generated by this Retail Transactions (Sales) and Use Tax,” and on July 9, 2013, the Board of Supervisors established this Oversight Committee. These Bylaws and Rules of Procedure (“Bylaws”) set forth the operating procedures and duties of the Measure K Oversight Committee (“Committee”) (formerly the Measure A Oversight Committee) and are effective as of their adoption by the Committee except to the extent they conflict with a resolution or ordinance of the Board of Supervisors. On adoption, these Bylaws are to be filed with the Clerk of the Board of Supervisors.

ARTICLE I
Duties of the Committee

Section 1. The Committee will:

- (1) Ensure the completion of, and review the results of, an annual audit performed, or caused to be performed, by the Controller’s Office of the Measure A sales and use tax revenues received by the County;
- (2) Review the results of the “Agreed-Upon Procedures” (“AUP”) performed on the expenditures of Measure A funds developed by the Controller’s Office;
- (3) Based on the Committee’s review of the annual audit of receipts, the results of the AUP referenced in (1) and (2) above, and a report of performance goals and other such reference materials that may be provided to the Committee by the County Manager, develop recommendations for the County Manager’s consideration regarding appropriate metrics by which the County can assess the impact of Measure A funds on programs and services funded in whole or in part by Measure A proceeds;
- (4) Prepare an annual report to the Board of Supervisors regarding the Committee’s review of the annual audit of receipts

(referenced in (1), above), results of the agreed-upon procedures (referenced in (2), above), and recommendations (referenced in (3) above); and

(5) Other such duties as assigned by the County Manager or Board of Supervisors.

Section 2. It shall not be within the scope of duties of the Committee to recommend any funding priorities to the Board of Supervisors or to County staff. Measure A proceeds constitute general tax revenue placed in the general fund of the County, and the responsibility for developing funding priorities of Measure A proceeds lies exclusively with the Board of Supervisors and County Manager.

ARTICLE II Membership

Section 1. The Committee shall be comprised of 10 members of the community, two residents from each Supervisorial District of the County, who are appointed by the Board of Supervisors and serve at the pleasure of the Board of Supervisors.

Section 2. Committee members shall serve two-year terms. Committee members shall not serve more than three consecutive terms (or a maximum of six years), but in any event shall serve until a successor member is appointed. The Board of Supervisors will fill vacancies on the Committee following an open application process.

Section 3. In the event of any conflict between this Article II and a resolution of the Board of Supervisors concerning the membership or constitution of the Committee, the Board of Supervisors' resolution shall govern.

ARTICLE III Officers

Section 1. The officers of the Committee shall be a Chairperson and a Vice Chairperson. Officers shall be voting members of the Committee and no member may hold more than one office. The officers of the Committee shall be elected by the members of the Committee at the first Committee meeting of each two-year term or at a subsequent meeting as determined by the Committee.

Section 2. The Chairperson of the Committee shall, if present, preside at all Committee meetings and exercise and perform such other powers and duties as may be from time to time assigned to him or her by the Committee or prescribed by these Bylaws. The Chairperson shall act as a duly authorized representative of the Committee in all matters in which the Committee has not formally designated some other person to act.

Section 3. In the absence or disability of the Chairperson, the Vice-Chairperson shall perform all of the duties of the Chairperson, and when so acting shall have all the powers of, and be subject to all of the restrictions upon, the Chairperson.

ARTICLE IV
Meetings and Quorum

Section 1. The Committee shall meet twice a year or additionally if needed as determined by the Committee or the Board of Supervisors.

Section 2. Committee meetings shall be open to the public. The Committee is subject to all provisions of the Ralph M. Brown Act (California Government Code sections 54950 et seq). The Committee will conduct all business within San Mateo County.

Section 3. The presence of at least six Committee members shall constitute a quorum. All decisions and actions of the Committee must be by at least a majority of the quorum present at a meeting but in no event fewer than six members.

ARTICLE V
Miscellaneous

Section 1. San Mateo County will provide the Committee with the appropriate staff and technical support needed to carry out the work of the Committee, including the keeping of minutes of meetings and of actions taken at all meetings.