

## **ATTACHMENT 3**

### Bylaws for the Public Safety Sales Tax Oversight Committee

#### Article 1. Name

Section 1.1 Name. The name of this organization is the “Public Safety Sales Tax Oversight Committee” (the “Oversight Committee”).

#### Article 2. Purpose

Section 2.1 Purpose. To monitor the expenditures of revenue collected pursuant to the “1/2-Cent Transactions and Use Tax for the Improvement of Gang and Drug Prevention, 911 Emergency, and Public Safety” measure (the “Measure”), approved by Manteca voters in November 2006.

#### Article 3. Oversight Committee

Section 3.1 Appointment. A citizens group of five (5) members from the community shall be appointed, who shall serve without pay.

The Oversight Committee shall be appointed by the Mayor of Manteca, and ratified by the Manteca City Council. The Oversight Committee members shall be residents of the City of Manteca.

Section 3.2 Limitations. The Oversight Committee members shall not be current City of Manteca employees, officials, contractors or vendors of the City. Past employees, officials or vendors shall be eligible to serve on the Oversight Committee, provided that there are no conflicts of interest as determined by the City Attorney.

Section 3.3 Term of Office. Of the members of the Oversight Committee first appointed, three (3) shall be appointed for terms of two (2) years and two (2) for terms of three (3) years. Their successors shall be appointed for terms of three (3) years. No member may serve more than two consecutive three (3)-year terms.

Section 3.4 Attendance. Oversight Committee members are expected to attend all regular meetings. Failure to attend two consecutive meetings may result in the removal from the Oversight Committee at the discretion of the City Council.

Section 3.5 Removal. Oversight Committee members may be removed from the Committee only by the City Council for repeated absence (see Section 3.4 above), for malfeasance, for failing to meet the qualifications set forth in this Section, or for inability or unwillingness to fulfill the duties of an

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Oversight Committee member. In the event of removal, resignation, or death, the City Council shall appoint a person to fill the vacant seat consistent with Section 3.6 below.

Section 3.6 Vacancies. Vacancies occurring for any reason shall be filled for the remainder of the unexpired term in the same manner as the original appointment. The City Council shall solicit Oversight Committee members through an open application process that is promoted through the City's adopted recruiting process. All applications will be reviewed by the City Council, which will have the authority to make all final decisions on Oversight Committee representation, subject to the guidelines noted above.

Section 3.7 Compensation. No Oversight Committee member shall receive compensation for his or her attendance at Oversight Committee meetings or for any other purpose or purposes.

Section 3.8 Conflict of Interest. The Oversight Committee members shall comply with the Conflict of Interest Code of the City of Manteca, if deemed legally necessary by the Manteca City Attorney.

Section 3.9 Review of Revenues. The Oversight Committee shall review expenditures of revenue collected pursuant to the Measure only to determine whether such funds are expended for the purposes specified in the then-current Public Safety Measure Police and Fire Expenditure Plan, and issuing reports on its findings to the City Council and public at least annually. The Manteca City Manager or his or her designee shall provide any reasonable administrative or technical assistance required by the Oversight Committee to fulfill its responsibilities or publicize its findings. Oversight Committee members may also review the annual financial or performance audits performed by an independent auditor. Revenue generated through other sources shall be outside the jurisdiction of the Oversight Committee.

Section 3.10 Project Management Limitations. In order to preserve the integrity and independence of the oversight process, Oversight Committee members will not play a formal role in contracting, project management, or any other aspect of the Measure funding.

Section 3.11 Advisory-Only Role. The Oversight Committee is not charged with decision-making on spending priorities, schedules, project details, funding source decisions (e.g., leveraged funds, developer fees, grants, etc.), financing plans or tax rate assumptions. The Oversight Committee may review such matters affecting the Measure, but shall serve in an advisory-only role to the City Council. The Oversight Committee shall have no jurisdiction other than that delegated to it by the People of Manteca, pursuant to the Measure and Manteca Municipal Code Section 3.09.

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### **Article 4. Meetings**

Section 4.1 Regular Meetings. The Oversight Committee shall meet semi-annually (or as otherwise provided for in amended bylaws) with specific meeting dates to be determined by Oversight Committee members. Additional meetings may be scheduled by the Oversight Committee as necessary.

Section 4.2 Special Called Meetings. Special meetings of the Oversight Committee may be called at any time at the call of the Chairman of the Oversight Committee, at the call by a majority of the members of the Oversight Committee, or upon direction by the Mayor. Notice of all meetings shall be given, and all meetings and Oversight Committee action shall be conducted in accordance with the Ralph M. Brown Act (Government Code Section 54950 et. seq., as amended).

### **Article 5. Quorum**

Section 5.1 Any three (3) members of the Oversight Committee shall constitute a quorum. No official act of the Oversight Committee shall be valid unless three of the members concur therein.

### **Article 6. Officers**

Section 6.1 Officers. There shall be a Chairperson, and Vice-Chairperson. In addition, the office of Secretary shall be held by a City staff person appointed by the City Manager or his or her designee.

Section 6.2 Selection. Officers shall be selected annually by the Oversight Committee from its members, by majority vote.

Section 6.3 Term. Each Officer shall serve a one-year term. Any and all officers selected may serve for consecutive years.

Section 6.4 Duties.

1. Chairperson shall preside at meetings of the Oversight Committee, and shall appoint committees and perform all other duties generally pertaining to the office of Chairperson. The Chairperson shall be entitled to vote on all questions and shall not be required to relinquish the chair in order to participate in discussions.
2. Vice-Chair shall perform the duties of Chairperson in the absence of the Chairperson.
3. Secretary shall keep a record of minutes of the meetings of the Oversight Committee; record all official actions of the Oversight Committee; prepare, post and distribute agendas; and take minutes at

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each meeting. The minutes, or a true copy thereof, approved by the Oversight Committee, shall form part of the permanent records of the Oversight Committee, and shall be made available to the public. All of the Oversight Committee's books and records shall be kept at the office of the City Clerk.

### Article 7. General

- Section 7.1 Parliamentary Authority. Any rules of parliamentary procedure not covered by these bylaws shall be governed by the latest edition of the Robert's Rules of Order.
- Section 7.2 Amendments. These bylaws may be altered, amended or repealed by the Manteca City Council.
- Section 7.3 Adoption and Effective Date. These bylaws, and any amendments thereto, upon approval by the City Council, shall be effective immediately.